

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

LULU ENTERPRISES, INC.,

Plaintiff,

V.

Civil Action No. 07-347

HULU, LLC

(formerly N-F NEWSITE, LLC),

and

**DECLARATION OF DANIEL H. MARTI
IN OPPOSITION TO PLAINTIFF'S
MOTION FOR A PRELIMINARY
INJUNCTION**

HULU TECH, INC.,

Defendants.

I, Daniel H. Marti, declare under penalty of perjury as follows:

1. I am a partner at the firm Kilpatrick Stockton LLP, counsel for Defendant Hulu, LLC (“Hulu”) in this action.

2. I submit this Declaration, based upon my own personal knowledge and my review of the documents annexed hereto as exhibits, in opposition to Plaintiff Lulu Enterprises, Inc.'s Motion for A Preliminary Injunction.

3. On or about September 10, 2007, Hulu, by way of counsel, ordered and obtained a trademark “Brand Expansion Search” for the term “Lulu” from one of the leading trademark search firms, Thomson CompuMark. A Brand Expansion Search expands the scope of a traditional U.S. Full Availability Search by also providing coverage of a diverse range of industries and classes of goods and services. A true and correct copy of the Thomson Compumark Brand Expansion Search dated September 10, 2007 (hereinafter the “Lulu Search Report”) is annexed hereto as **Exhibit 1**.

4. On or about September 10, 2007, Hulu, by way of counsel, also ordered and obtained a trademark dilution search for all marks utilizing the “ULU” suffix or letter combination from Thomson CompuMark. A true and correct copy of the Thomson Compumark Dilution Search dated September 10, 2007, (hereinafter the “ULU Search Report”) is annexed hereto as **Exhibit 2**.

5. On or about September 12, 2007, Hulu, by way of counsel, also obtained a Dun & Bradstreet report from Westlaw.com’s Public Records database (hereinafter the “Lulu Enterprises D&B Report”). The query used in Westlaw was: “CN(LULU & Enterprises).” A true and correct copy of the D&B Report dated September 12, 2007 is annexed hereto as **Exhibit 3**.

6. On September 26, 2007, I obtained a second Dun & Bradstreet Report from Westlaw.com’s Public Records database (hereinafter the “Lulu D&B Report”). The query used in Westlaw for this second D&B report was: “CN(LULU).” A true and correct copy of the Lulu D&B Report dated September 26, 2007 is annexed hereto as **Exhibit 4**.

Summary of the Lulu Search Report Results:

7. The Lulu Search Report generated 804 pages of “hits” for third-party trademark applications, trademark registrations, and common law or other references for the **LULU** formative marks, as well as variations thereof, such as **LOULOU**, **LU+LU**, **LI LU**, **LUI LUI**, and **LULA**, for a wide variety of goods and services.

8. The Lulu Search Report discloses a total of two hundred nine (209) third-party federal registrations or applications for registration for **LULU** formative marks, or variations thereof, eighty-two (82) of which are listed as being federally registered, and fifty-two (52) are identified as being active and pending trademark applications.

9. Taking into account only the marks in which the letter combination **L...U...L...U** appears standing alone, without any other additional words — such as **LULU**, **LU+LU**, **LU-LUS**, **LU-LU**, and **LULU'S** — the Lulu Search Report discloses a total of forty-five (45) “hits” (not including Plaintiff’s marks) spread across a total of thirty-five (35) different individuals and entities, for a wide range of goods and services, as summarized below.

10. Taking into account only the marks in which the letter combination **L...U...L...U** appears *in combination with additional letters and/or terms* — such as, for example, **LULU-B** and **LULU PRODUCTIONS** — the Lulu Search Report reveals a total of one hundred twenty-eight (128) “hits” (not including Plaintiff’s marks) spread across a total of ninety (90) different individuals and entities, for a wide range of goods and services, as summarized below.

11. When expanding the scope of search results to also include marks that are comprised of the letter combination “**LU**,” or a variation thereof — such as **LULA**, **LILU**, and **XULU**, to name a few — the Lulu Search Report discloses a total of two hundred nine (209) third-parties associated with such marks.

Summary of the ULU Search Report Results:

12. Although there is a substantial overlap between the search results in the Lulu Search Report (Exh. 1) and the ULU Search Report (Exh. 2), the search results are not entirely identical. For example, the ULU Search Report generated 1,116 pages of “hits” for third-party trademark applications, trademark registrations and common law or other references for marks comprising an “**ULU**” letter combination, such as **ULU**, **ZULUS**, and **KULU**, for a wide variety of goods and services.

13. The ULU Search Report discloses a total of three hundred ninety-two (392) third-party federal registrations or applications for registration marks comprising an “ULU” letter combination, one hundred thirty-two (132) of which are listed as being federally registered, and seventy (70) are identified as being pending trademark applications.

14. Taking into account only the marks in which the letter combination **U...L...U** appears with *one* additional, preceding letter — such as **JULU**, **RULU**, or **SULU** — the ULU Search Report discloses a total of ninety-six (96) “hits” (not including Plaintiff’s marks) spread across a total of seventy (70) different individuals and entities, for a wide range of goods and services.

15. Taking into account the marks in which the letter combination **U...L...U** appears as a portion of a mark with *two or more* letters and/or words — such as, for example, **COCOLULU** or **KULU ATOLL** — the ULU Search Report reveals a total of three hundred thirty-eight (338) “hits” (not including Plaintiff’s marks or any Honolulu derived marks) spread across a total of two hundred fifteen (215) different individuals and entities, for a wide range of goods and services.

Plaintiff’s Goods and Services And The Search Report Results:

16. Lulu's Complaint describes it as being in the self-publishing business, “connecting creators with buyers and viewers of digital content, including **books, videos, images and music.**” Lulu Compliant, ¶ 2 (emphasis added). With respect to such media as “books, videos, images and music,” the Lulu Search Report discloses scores of **LULU** formative marks, and variations thereof, for identical and related goods and/or services.

17. For example, with respect to publishing “books,” Lulu claims in filings made with the United States Patent and Trademark Office (“USPTO”) that it first used the mark **LULU** in **November 2002**, as shown in a true and correct copy of a printout I made from the USPTO’s Trademark Applications and Registrations Retrieval (“TARR”) web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 5**.

18. Based on the results of the Lulu Search Report, and additional exhibits herein, Plaintiff is not the only entity, let alone the first entity, to use a LULU formative mark, or variation thereof, in connection with books. For example, the Lulu Search Report discloses an existing federal trademark registration owned by Viacom International, Inc. for the mark **LULU’S PEEPS** (Reg. No. 2,863,527) for “printed matter, namely...[a] series of fiction books.” See Exhibit 1, p. 127. Based on USPTO online records, the mark **LULU’S PEEPS** was first used in commerce by Viacom on April 1, 2001, over one year prior to Lulu’s alleged first use of the **LULU** mark for printed matter, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 6**.

19. With respect to “videos” and “images,” Lulu claims in filings made with the USPTO that it first used the mark **LULU** in **June 2002**, as shown in a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 7**.

20. Based on the results of the ULU Search Report, and additional exhibits herein, Plaintiff is not the only entity, let alone the first entity, to use a LULU formative mark, or variation thereof, in connection with videos and images. For example, the ULU Search

Report discloses an existing Hawaiian state trademark registration owned by Cheri Mardon for the mark **LULU PRODUCTIONS** (Hawaiian Reg. No. 249935) for “communication products such as, but not limited to, films, videos, audio, books, clothing, and art.” See Exhibit 1, p. 448. Based on the information provided in the ULU Search Report, the mark **LULU PRODUCTIONS** was registered with the State of Hawaii on July 26, 2000, and renewed on April 19, 2001, almost two years before Lulu claimed its first use of the **LULU** mark in connection with videos (*e.g.*, audiovisual). Id.

21. With respect to downloadable “music” services, Lulu claims in filings made with the USPTO that it first used the mark LULU in June 2003, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 8**.

22. Based on the results of the Lulu Search Report, and additional exhibits herein, Plaintiff is not the only entity, let alone the first entity, to use a LULU formative mark, or variation thereof, in connection with music related goods or services. For example, the Lulu Search Report discloses an existing federal trademark registration owned by Justin Wallace for the mark **ULU** (Reg. No. 2,374,964) for “entertainment, namely, live performances by a musical band.” See Exhibit 1, p. 100. Based on USPTO online records, the mark **ULU** was first used in commerce by Mr. Wallace on March 5, 1997, more than five years prior to Lulu’s alleged first use of the LULU mark for music related subject matter, as shown by a true and correct copy of a printout I made from the USPTO’s Trademark Applications and Registrations Retrieval (“TARR”) web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 9**.

Plaintiff's Trademark Applications And The Search Report Results:

23. By way of Plaintiff's five pending USPTO trademark applications, Plaintiff itself describes its current use in commerce of goods and/or services as corresponding to the following "classes," based on the *International Classification of Goods and Services for the Purposes of the Registration of Marks* (established by way of the Nice Agreement, to which the United States became a Contracting Party effective on May 25, 1972):

- **International Class 009:** "Downloadable MP3 files, MP3 recordings; downloadable books, brochures, flyers, calendars, images, music, audio and audiovisual materials and electronic publications via the internet and wireless devices; mouse pads." (Serial Nos. 77226519 and 77217960); and "online discussion boards, web casts, podcasts featuring music, audio books and news broadcasts; providing downloadable electronic newsletters in the field of publishing." (Serial No. 77217960);
- **International Class 016:** "Books of general interest, namely fiction and non-fiction books on a variety of topics; pens; bookmarks; stickers." (Serial Nos. 77226519 and 77217960); and "newsletters in the field of publishing; business cards; postcards. (Serial No. 77217960);
- **International Class 018:** "Tote bags." (Serial No. 77226519);
- **International Class 025:** "Clothing, namely, hats and shirts." (Serial Nos. 77226519 and 77217960);
- **International Class 035:** "Online ordering services featuring books, brochures, flyers, calendars, images, music, audio and audiovisual materials and electronic publications; distributorship services in the field of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications." (Serial Nos. 77226519 and 77217960); "business consulting, namely provision of information and advice in the field of self-publishing." (Serial No. 77217960); and "[a]dministration of a discount program enabling participants to obtain discounts on goods and services; promoting the goods and services of others by placing advertisements and promotional materials in electronic publications accessed via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, by distributing advertisements and promotional materials via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, or through on-line promotional contests; arranging, conducting and promoting business and consumer conferences, business and consumer conventions, business and consumer exhibitions, and trade shows in the fields of business and commerce, education, information services, science, and technology,

other than such conferences, conventions, exhibitions and trade shows focused on the areas of advertising and marketing; business consultation services; contests and incentive award programs to promote the sale of goods and services of others; promoting educational and entertainment events of others in the nature of conferences, conventions, and exhibitions, in the fields of business and commerce, education, information services, science, and technology, other than such conferences, conventions, exhibitions and trade shows focused on the areas of advertising and marketing by placing advertisements and promotional materials in electronic publications accessed via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, by distributing advertisements and promotional materials via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, or through on-line promotional contests, promoting the sale of goods and services of others through the distribution of on-line promotional material and promotional contests; providing consumer information in the fields of business and commerce, education, information services, science, and technology; and providing information in the fields of business and commerce; providing information in the nature of prerecorded audio and audiovisual messages and programs on the subjects of business, commerce via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks; providing business advice and consumer information in the nature of audio, visual, and multimedia programs in the fields of business, commerce, and information services via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks.” (Serial No. 78155152);

- **International Class 038:** “Communication services, namely, electronic transmission of data and documents among users of computers; providing on-line forums for transmission of messages among computer users concerning self-publishing; communication services, namely, transmitting streamed sound and audio-visual recordings via the Internet.” (Serial No. 77217960);
- **International Class 041:** “Publishing services, namely, print on demand and publish on demand of books, brochures, calendars, images, music, audio and audiovisual materials; publication of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications”; (Serial Nos. 77217960 and 77226519); “multimedia publishing of books, brochures, magazines, journals, software, games, music, and electronic publications; entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; workshops and seminars in the field of self-publishing; providing on-line training in the field of self-publishing; on-line journals, namely, blogs featuring information about self publishing; written text editing; video editing.” (Serial No. 77217960); and “[a]rranging and conducting educational conferences, conventions, and exhibitions, in the fields of education, information services, science, and technology, other than such conferences, conventions, exhibitions and trade shows focused on the areas of advertising and marketing; entertainment services, namely, providing a web site featuring audio,

visual, and multimedia performances, motion picture performances, and news and variety shows; entertainment services, namely, providing educational and motivational speakers in the fields of business and commerce, general knowledge, information services, science, and technology; providing recognition and incentives by the way of awards to demonstrate excellence or unusual performance in the fields of business and commerce, general knowledge, information services, science, and technology, other than such awards focused on the areas of advertising and marketing; and publication of electronic newspapers featuring general knowledge accessible via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks.” (Serial No. 78155152); and

- **International Class 042**: “Providing information on books, brochures, calendars, images, music, audio and audiovisual materials via a global computer network; providing information on formatting, editing, design, marketing and distribution of books, brochures, publications, calendars, images, music, audio and audiovisual materials via a global computer network.” (Serial Nos. 77226519 and 77217960); “graphic design services; design and development of multimedia products.” (Serial No. 77217960); and “[p]roviding information in the nature of prerecorded audio and audiovisual messages on the subjects of science, technology and information technology via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks; providing information in the nature of audio, visual, and multimedia materials in the fields of science, technology and information technology via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks.” (Serial No. 78155152).

See **Exhibit 10**, which are true and correct copies of printouts I made from the USPTO’s Trademark Electronic Search System (“TESS”), at <http://uspto.gov/#>.

24. The Lulu Search Report discloses scores of **LULU** marks, and variations thereof, that fall within the identical Trademark (Nice) Classes identified by Plaintiff for its various goods and services (above).

25. For example, within **International Class 009** alone, the Lulu Search Report discloses at least twenty-two (22) third-party marks in the same class in the federal section of the report (including eight registered marks and two pending marks), and two (2) state registrations, comprised of or containing the designation LULU, or a variation thereof, namely:

- **LU-LU**
- **LUULUU**
- **LULU**
- **ZULU**
- **RULU**
- **XULU**
- **LU**
- **LULU THE LETTER SPINNING SPIDER**
- **LULU GREEN**
- **ROROTON LU LU TONG**
- **TINA AND LULU**
- **TINA AND LULU**
- **WWW.LULURECORDS.COM**
- **LULUCCI**
- **LULU LUV**
- **LUV, LULU**
- **LOO & PALS**
- **XULU ENTERTAINMENT**
- **XULU ADVENTURERS' CLUB**
- **ZULU TIME**
- **XOOLoo**

See Exhibit 1, Lulu Search Report, pp. 51, 53, 66, 97, 106, 109, 119, 124, 134, 149, 155, 181, 183, 232, 249, 297, 318, 357, 359, 378, and 381.

26. Within **International Class 016**, for example, the Lulu Search Report discloses at least twenty-nine (29) third-party marks in same class in the federal section of the report (including thirteen registered marks and four pending marks), and two (2) state registrations, comprised of or containing the designation LULU, or a variation thereof, namely:

- **LOULOU**
- **LU-LU**
- **LULU LOLO**
- **LUU**
- **LI LU**
- **XULU**
- **LULU THE LETTER-SPINNING SPIDER**
- **LULU THE DOG**

- **LULU’S PEEPS**
- **LULU THERAPY ON A LEASH, INC.**
- **LULU ‘N’ LOU**
- **LULU AT THE CHATEAU**
- **LITTLE LULU**
- **LITTLE LULU**
- **LITTLE LULU**
- **LULU’S WORLD**
- **JACK AND LULU**
- **ZULULU**
- **LULU GREEN**
- **LI LU FA LU SHIH WU AO**
- **LULY**
- **LU**
- **LULY**
- **XULU ENTERTAINMENT**
- **XULU ADVENTURER’S CLUB**
- **ZULU TIME**
- **XOOLoo**
- **LULU PRODUCTIONS**
- **LINDY’S LOO LOOS**

See Exhibit 1, pp. 54, 60, 75, 77, 85, 104, 124, 126, 129, 143, 145, 168, 184, 195, 251, 293, 300, 304, 314, 322, 342, 351, 361, 363, 381, 448, and 463.

27. Within **International Class 018**, for example, the Lulu Search Report discloses at least thirty-one (31) third-party marks in the same class in the federal section of the report (including 7 registered marks and 14 pending marks), and two (2) state registrations, comprised of or containing the designation LULU, or a variation thereof, namely:

- **LULU**
- **LULU**
- **LUU**
- **LALOO**
- **LULU TOWNSHEND**
- **LULULEMON SPECIFICA**
- **LULU & LUIGI**
- **LULU FLYNN**

- LULU GUINNESS
- LULU PINK
- LULUCCI
- LULU & FRANKIE
- LOULOU CACHAREL
- LOULOU DE LA FALAISE PARIS
- LULU TOWNSHEND
- LULU LUV
- LULU DE GRENOUILLE
- LULU'S PEEPS
- AME & LULU
- BABY LULU
- COCOLULU
- LUV, LULU
- ZULULU
- LUELLA
- LUJO
- LU
- ZULUS
- ZULU
- LULU
- LULU
- LULU
- LULU BAGS
- LULU PINK

See Exhibit 1, pp. 66, 68, 77, 81, 206, 216, 221, 223, 228, 231, 232, 235, 243, 245, 247, 249, 270, 272, 284, 288, 290, 297, 300, 334, 340, 342, 385, 389, 401, 405, and 407.

28. Within **International Class 025**, for example, the Lulu Search Report discloses at least eighty-four (84) third-party marks in the same class in the federal section of the report (including 24 registered marks and 28 pending marks), and eleven (11) state registrations, comprised of or containing the designation LULU, or a variation thereof, namely:

- LULULULU
- LULU
- LULU
- LULU
- LULU

- LULU
- LULU
- LULU
- LOO LOO
- LOU LOU
- LOULOU
- LULU LULU
- LUU
- LILOU
- LUU
- LILOU
- LULUEH
- LULA
- LULUA
- LALOO
- SULU
- ULU
- XULU
- LU
- LU
- LOU
- LULU 'N' LOU
- LULU TOWNSHEND
- LULU BELLE BOUTIQUE
- LU-LU'S CLOSET
- LULU'S BAIT SHACK
- LULU'S RED HOTS
- LULULEMON SPECIFICA
- LULU ALEXANDER
- LULU BRAVO
- LULU GUINNESS
- LULU CASTAGNETTE
- LULU LUV
- LULU-B
- LULULEMON ATHLETICA
- LOULOU CACHAREL
- LOULOU DE LA FALAISE PARIS
- LULU TOWNSHEND
- LULU LUV
- LULU BLUE
- LULU BLUE
- LULU BRAVO

- LULU COUTURE
- LULU GREEN
- LULU'S PEEPS
- LULU'S FASHION LOUNGE
- LULU SECRET
- LU LU'S PETALS
- LULU DE GRENOUILLE
- LULU BY 9CO.
- LUV, LULU
- TRIXIE + LULU
- LM LULU PARIS
- GOOD NIGHT LULU
- AME & LULU
- BABY LULU
- BABY LULU
- COCOLULU
- SADIE & LULU
- ZULULU
- LUV, LULU
- ULULU
- LOU LOU INTIMATES
- LULLURE
- LLUAU
- LUEE BABES
- LULL
- LUELLA
- LULA LU
- LUU
- LU L U
- LULLIE
- LOULEILOU
- XULU ENTERTAINMENT
- XULU ADVENTURERS' CLUB
- ZULU TIME
- KULU
- ZOOLOO
- LULU'S
- LULU'S
- LU
- LULU PRODUCTIONS
- LULU'S FASHION LOUNGE
- LULU GIRL STUFF GIRLS CAN'T LEAVE BEHIND

- **LULU’S LILIPAD**
- **COCOLULU**
- **LU CUZZ**
- **LU BY LOLITA**
- **CHOL-CHU-LU-LI**

See Exhibit 1, pp. 56, 57, 58, 61, 62, 63, 64, 67, 68, 71, 72, 73, 74, 77, 82, 84, 87, 91, 92, 111, 112, 114, 116, 118, 120, 143, 206, 208, 210, 211, 213, 216, 218, 224, 228, 233, 236, 237, 238, 243, 247, 249, 252, 253, 254, 255, 256, 258, 260, 267, 268, 270, 274, 276, 277, 278, 280, 282, 284, 286, 288, 290, 294, 295, 297, 301, 302, 324, 326, 327, 328, 334, 338, 341, 342, 344, 349, 350, 365, 378, 387, 392, 436, 438, 442, 448, 449, 451, 456, 462, 467, 468, and 470.

29. Within **International Class 035**, for example, the Lulu Search Report discloses at least twenty-one (21) third-party marks in the same class in the federal section of the report (including nine registered marks and five pending marks), and five (5) state registrations, comprised of or containing the designation LULU, or a variation thereof, namely:

- **LULULUU**
- **LULU COMPANY**
- **XULU**
- **LU**
- **LOO LOO COMMUNICATIONS**
- **LUCY BUFFETT’S LULU’S**
- **LUCY BUFFETT’S LULU’S**
- **LULU BELLE BOUTIQUE**
- **LULU GUINNESS**
- **LULU GIRL**
- **LULU BELLS TREASURES**
- **LULU’S FASHION LOUNGE**
- **LULU EXPRESS**
- **LULU WEDDINGS**
- **LULU-BABY.COM**
- **LOOKIE LOO**
- **LUYU**
- **LULA LU**

- **XULU ENTERTAINMENT**
- **XULU ADVENTURER'S CLUB**
- **XOOLoo**
- **LULU'S**
- **LU**
- **LULU GIRL STUFF GIRLS CAN'T LEAVE BEHIND**
- **LULU'S FASHION LOUNGE**
- **LULU'S LILYPAD**

See Exhibit 1, pp. 53, 70, 98, 116, 147, 151, 153, 208, 214, 240, 241, 260, 262, 263, 264, 311, 332, 338, 369, 371, 381, 438, 443, 451, 453, and 456.

30. Within **International Class 038**, for example, the Lulu Search Report discloses at least two (2) third-party marks in the same class in the federal section of the report, comprised of or containing the designation LULU, or a variation thereof, namely:

- **ZULU TIME**
- **XOOLoo**

See Exhibit 1, pp. 378 and 383.

31. Within **International Class 041**, for example, the Lulu Search Report discloses at least twenty-four (24) third-party marks in the same class in the federal section of the report (including 6 registered marks and 8 pending marks), comprised of or containing the designation LULU, or a variation thereof, namely:

- **LOULOU**
- **LULA**
- **LA LU**
- **ULU**
- **ZULU**
- **LULU THERAPY ON A LEASH**
- **LULU'S HOUSE**
- **LULU AT THE CHATEAU**
- **LULU THE CLOWN**
- **TINA AND LULU**

- **THE LITTLE LULU SHOW**
- **THE ADVENTURES OF TINTIN AND LULU**
- **TINA AND LULU**
- **LAYLOO**
- **LOUIE**
- **LUCY LU MOVIE REVIEW LUCY LU**
- **LOULIES**
- **XULU ENTERTAINMENT**
- **XULU**
- **ZULU RECORDING**
- **ZULU TIME**
- **THE BLULOU**
- **XOOLoo**

See Exhibit 1, pp. 54, 89, 90, 100, 102, 129, 131, 145, 146, 155, 157, 166, 181, 309, 310, 312, 316, 320, 373, 375, 377, 378, 380, and 381.

32. Within **International Class 042**, for example, the Lulu Search Report discloses at least nineteen (19) third-party marks in the same class in the federal section of the report (including 10 registered marks and one pending mark), and three (3) state registrations, comprised of or containing the designation LULU, or a variation thereof, namely:

- **LI LU**
- **XULU**
- **LOO LOO COMMUNICATIONS**
- **TINA AND LULU**
- **LULU'S BAIT SHACK**
- **LULU DK**
- **LULU STUDIOS**
- **LULU BOUTIQUE**
- **LULU SHOP**
- **LULU BRANDS**
- **ASK LULU**
- **LI LU FA LU SHIH WU AO**
- **XULU ENTERTAINMENT**
- **XULU ADVENTURER'S CLUB**
- **ZULU TIME**
- **XOOLoo**
- **LOU LOU**

- LUI LUI
- LULY
- LULU WORLD
- LULU TECHNOLOGIES
- LU SYSTEMS
- LULU'S

See Exhibit 1, pp. 85, 98, 147, 181, 211, 220, 242, 265, 269, 306, 308, 314, 369, 371, 378, 383, 419, 422, 444, 445, 446, 457, 460, 465, and 475.

Summary of the “Lulu Enterprises D&B Report” (Exh. 3) Results:

33. As noted above, the Lulu Enterprises D&B Report (annexed as Exhibit 3) was obtained through a search query for business names that include *both* the terms “Lulu” and “Enterprises.” Based on this narrow search query, the Lulu Enterprises D&B Report discloses at least twelve (12) third-party trade names that are identical, or substantially similar, to Plaintiff Lulu Enterprises’ trade name, including:

- **LULU ENTERPRISES (Carterville, Illinois)**, with last reported annual sales of \$42,000 (estimated);
- **LULU LITTLE ENTERPRISES, INC. (Indianapolis, Indiana – year started 1968)**, with last reported annual sales of \$168,000 (actual), and 24 employees;
- **LULU ENTERPRISES (Woodland Hills, California – year started 1997)**;
- **LULU DESIGN ENTERPRISES (San Francisco, California)**, with last reported annual sales of \$68,000 (estimated);
- **LULU ENTERPRISES, INC. (Wichita Falls, Texas)**, with last reported annual sales of \$52,000 (estimated);
- **LULU ENTERPRISES, LLC (Hingham, Massachusetts)**;
- **LULU ENTERPRISES LTD INC. (Longwood, Florida)**, with last reported annual sales of \$120,000 (estimated);
- **LULU INVESTMENTS AND ENTERPRISES, INC. (Miami, Florida)**;
- **LULU ENTERPRISES, INC. (Coral Gables, Florida)**;
- **LULU SS ENTERPRISES LLC (Prineville, Oregon)**, with last reported annual sales of \$55,000 (estimated);
- **SS LULU ENTERPRISES LLC (Prineville, Oregon)**; and
- **LULU ENTERPRISES LLC (Portland, Oregon)**.

Summary of the “Lulu D&B Report” (Exh. 4) Results:

34. As noted above, the Lulu D&B Report (annexed as Exhibit 4) was obtained through a search query for business names that include the term “Lulu” (as compared to the report in Exhibit 3, that also required the term “enterprises”). Based on this search query, and excluding Plaintiff’s trade name, the Lulu D&B Report discloses a total of nine hundred twenty-six (926) third-party trade names that include the term LULU, including:

Rank	Business Name	Other Name	Status	Jurisdiction
1.	"LULU'S" FROSTY FUN FOR ALL INC.		ACTIVE	NY
2.	A-LULU BABY, INC.		INACTIVE	FL
3.	A-LULU BABY, INC.		ACTIVE	FL
4.	AES ENTERTAINMENT GROUP, LLC	LULU'S	ACTIVE	IN
5.	ALVAH LLOYD AND LULU LLOYD CHARITABLE CORPORATION		DISSOLVED	WI
6.	AME & LULU, LLC		ACTIVE	MA
7.	ARNIE & LULU'S JEWELRY & ACCESSORIES		GOOD STANDING	MT
8.	AUNT LULU (THE ENVIRONMENTAL QUEEN OF THE OZARKS)			MO
9.	AUNT LULU'S PARADISE OF UNIQUE PRODUCTS AND GIFTS		ACTIVE	UT
10.	BABY LULU, INC.		ACTIVE	CA
11.	BAXTER & LULU, LLC		DISSOLVED	CT
12.	BAXTER AND LULU, LLC		TERMINATED	VT
13.	BEATRICE & LULU, LLC		ACTIVE	CT
14.	BELLA LULU		ACTIVE	MN
15.	BELLA LULU BOUTIQUE, LLC		ACTIVE	HI
16.	BELLA LULU'S		ACTIVE	OR
17.	BETTY'S & LULU'S PAPER SHOPPE LLC		ORGANIZED	WI
18.	BETTYBEAUTY, INC.	LULU HORNBAKER, INC.	ACTIVE	NY
19.	BGR LULU, LLC		GOOD STANDING	CO
20.	BIG D & LULU, INC.		ACTIVE	OH
21.	BINKY & LULU, INC.		INACTIVE	MA

22.	BLU LULU, INC.		ACTIVE	FL
23.	BURAS, INC., LULU	L'IMAGE, INC.	CHARTER REVOKED BY SECY OF STATE	LA
24.	CAFE LULU & OSCAR, LLC		INACTIVE	FL
25.	CAFE LULU RESTAURANT CORP.		ACTIVE	NY
26.	CAFE LULU, INC.		DISSOLVED	MO
27.	CAFFE' LULU, LLC		INACTIVE	MN
28.	CALIFORNIA CAR SHINE INTERNATIONAL CORPORATION	TOTALLY LULU, INC.	SUSPENDED	CA
29.	CASA LULU		INACTIVE	OR
30.	CATMAN & LULU'S		GOOD STANDING	SC
31.	CHACE N' LULU, INC.	CHASE N' LULU, INC.	ACTIVE/IN GOOD STANDING	RI
32.	CHEZ LULU, INC.		INACTIVE	FL
33.	CHINA LULU, LLC		DISSOLVED	NV
34.	CHOCOLATE LULU'S INC.		ACTIVE	NY
35.	COD, INC.	LULU'S PLACE	REVOKED CHARTER	RI
36.	COGO LULU CAFE, LLC		ACTIVE	CT
37.	COLUMBIA FINANCIAL MORTGAGE		SUSPENDED	CA
38.	COLUMBIA HOMECARE, INC.		SUSPENDED	CA
39.	CREATIONS BY LULU LC		VOLUNTARILY DISSOLVED	TX
40.	DD & LULU, L.L.C.		ACTIVE	LA
41.	DEUCE N LULUS, LLC		IN EXISTENCE	OK
42.	DIRTY LULUS OYSTER BAR & GRILLE, INC.		GOOD STANDING	SC
43.	DISCOTECA LULU, INC.		INACTIVE	NY
44.	DOWN AT LULU'S LLC		ACTIVE	CA
45.	EASE WEAR	LULU DESIGNS	ACTIVE	MN
46.	ECO-WILKINS, LLC	FRANKIE AND LULU'S	ACTIVE	IN
47.	EYES BY LULU, LLC		ACTIVE	NY
48.	FAIMAFILI LULU		ACTIVE	HI
49.	FAIMAFILI LULU		ACTIVE	HI
50.	FAT DADDY FOODS, INC.	LULU CARPENTER'S CAFE, INC.	MERGED OUT	CA
51.	FAT LULU'S		FORFEITED	MD
52.	FAT LULU'S, INC.		FORFEITED	MD
53.	FLESH FOR LULU, INC.		SUSPENDED	CA

54.	FLUFFS BY LULU		ACTIVE	FL
55.	FRIENDS OF LULU		ACTIVE	CA
56.	FRIENDS OF LULU		INACTIVE	NY
57.	FUDGE FACTORY, INC. THE	CHOCOLATES OF VERMONT	ACTIVE/IN GOOD STANDING	VT
58.	GAIL & LULU LTD.		INACTIVE	NY
59.	GINA-LULU INC.		INACTIVE	FL
60.	GREAT CAKES LLC	LULU'S CAKES & MORE	GOOD STANDING	AR
61.	HABANA LULU CORPORATION		INACTIVE	FL
62.	HANNA LULU'S LLC		IN GOOD STANDING	NH
63.	HEARTLAND HANDICAP SPECIALTY, INC.	LULU & MIMI'S HOUSECLEANERS, INC.	FORFEITED-FAILED TO FILE TIMELY A/R	KS
64.	HENRY & LULU, LLC		ACTIVE	OH
65.	HESTER-ALEXANDER, LULU D. D. S.		INACTIVE	MD
66.	HINA LULU, INC.		INV. DISSOLVED	HI
67.	HOMELAND TRAVEL ENTERPRISES, INC.		INACTIVE	NY
68.	HONOLULU LULU'S		ACTIVE	FL
69.	HONOLULU LULU'S, INC.	HONOLULU LULU'S, INC.	FORFEITED EXISTENCE	TX
70.	HOSPITALITY RESTAURANTS, INC.	LULU'S BAKERY & CAFE	IN EXISTENCE	TX
71.	HOUSE OF LULU		ACTIVE	FL
72.	HOUSE OF LULU, INC.		ACTIVE	AL
73.	HUCK & LULU, LLC		DISSOLVED	CT
74.	IT'S A LULU		INACTIVE	OR
75.	IT'S A LULU!, INC.		ACTIVE	NY
76.	IT'S A LULU!, INC.		EXPIRED	TX
77.	IT'S A-LULU!, INC.		ACTIVE/COMPLIANCE	GA
78.	J. J. DUMAS, INC.	LULU LAME, INC.	SUSPENDED	CA
79.	JACK AND LULU, INC.		ACTIVE	NC
80.	JAKE & LULU'S INC.		ACTIVE	NY
81.	JEMMA LULU JEWELRY DESIGN, INC.		ACTIVE	NY
82.	JESUS AND LULU'S FLORES INC.		DELINQUENT ANNUAL REPORT	AZ
83.	JOYERIA LULU'		REVOKED	NV
84.	KARAOKE BY LULU AND COMPANY		ACTIVE	FL

85.	KONISHI, INC.	LULU'S DIN SUM & THEN SUM	GOOD STANDING	IL
86.	KOOKOO LULU, INC.		IN EXISTENCE	TX
87.	KRISTEN LULU, LLC		INACTIVE	OR
88.	LA PEQUENA LULU CANASTILLA, INC.		INACTIVE	FL
89.	LA PEQUENA LULU, INC.		INACTIVE	FL
90.	LAGUNA LULU		ACTIVE	NV
91.	LAMPSHADES BY LULU			MO
92.	LEASE-A-LULU		INACTIVE	NE
93.	LEON & LULU LLC		ACTIVE	MI
94.	LIL LULU, INC.		GOOD STANDING	MO
95.	LIL LULUS LLC		IN EXISTENCE	OK
96.	LILI AND LULU INTERNATIONAL INC.		DISSOLVED	CA
97.	LILY & LULU		EXPIRED	UT
98.	LITL LULU INTL LLC		ACTIVE	IN
99.	LITTLE LULU		SUSPENDED	CA
100.	LITTLE LULU - AROMATHERAPY FOR CHILDREN, LLC		ORGANIZED	WI
101.	LITTLE LULU BEAR LLC		ACTIVE	MI
102.	LITTLE LULU DESIGNS, LLC		ACTIVE	OH
103.	LITTLE LULU, INC.		ACTIVE	CA
104.	LITTLE LULU, LLC		ACTIVE	CA
105.	LITTLE LULU SANDWICH CO.		ACTIVE/IN GOOD STANDING	AZ
106.	LITTLE LULU'S CLOSET, INC.		AUTOMATIC DISSOLUTION	MI
107.	LITTLE LULU'S CLOSETH		ACTIVE	FL
108.	LITTLE LULU'S DAYCARE		PENDING EXPIRATION	MT
109.	LITTLE LULU'S FAST FOOD RESTAURANT, INC.		DISSOLVED	IL
110.	LITTLE LULU'S PLAY PALACE			MO
111.	LITTLE LULU'S RESTAURANT, INC.			IL
112.	LITTLE LULU'S VENDING INC.		ACTIVE	NY
113.	LITTLE LULU'S, INC.		INACTIVE	FL
114.	LITTLE LULU'S, INC.		INACTIVE	NY
115.	LITTLE LULU, INC.		ACTIVE	MN
116.	LITTLE LULU, INCORPORATED		INACTIVE	FL

117.	LITTLE LULU, LLC		ACTIVE	CT
118.	LITTLE LULUS, INC.		INACTIVE	MN
119.	LMS AT LULU'S, INC.		ACTIVE	NY
120.	LOTTA LULU INVESTMENTS, INC.		IN EXISTENCE	TX
121.	LOUISIANA USED EQUIPMENT CO., INC.	LITTLE LULU, INC.	CHARTER REVOKED BY SECY OF STATE	LA
122.	LOULOU INC.	LULU, INC.	ACTIVE	NY
123.	LOURDES MARKET, INC.	LULU'S MARKET	ACTIVE	MI
124.	LOVE, LULU		ACTIVE	FL
125.	LOVING LULU PRODUCTIONS, INC.		DISSOLVED	CA
126.	LUCKY LULU		DISSOLVED	CA
127.	LUCKY LULU, INC.		INACTIVE	FL
128.	LUCKY LULU, LLC		ACTIVE	CT
129.	LULA P, INC.	LULU P, INC.		IL
130.	LULL LULU LLC		ORGANIZED	WI
131.	LULU		ACTIVE	FL
132.	LULU		ACTIVE	FL
133.	LULU		ACTIVE	OR
134.	LULU		ACTIVE	OR
135.	LULU		INACTIVE	OR
136.	LULU		INACTIVE	OR
137.	LULU		INACTIVE	OR
138.	LULU		ACTIVE	PA
139.	LULU		EXPIRED	UT
140.	LULU		TRADENAME-STIS NOT AVAILABLE	CO
141.	LULU & BEAUTY MOBILE PET GROOMING, CORP.		ACTIVE	FL
142.	LULU & BROOK INC		GOOD STANDING	CO
143.	LULU & CLAIRE, LLC		ACTIVE	OH
144.	LULU & FRIENDS, LLC		ACTIVE	OR
145.	LULU & GIGI LLC		ACTIVE	MI
146.	LULU & GRACE			MO
147.	LULU & GRAPPA CORPORATION		REVOKED	NV
148.	LULU & LUIGI		ACTIVE	MN
149.	LULU & LUIGI, LLC		ACTIVE	MN
150.	LULU & MARJAN, INC.		FORFEITED EXISTENCE	TX

151.	LULU & MERIE INC		ACTIVE	VA
152.	LULU & MIKAYLA, INC.		TERMINATED	WA
153.	LULU & MIMI HOUSECLEANERS EXTRAORDINAIRE INC.		DISSOLUTION	KS
154.	LULU & OLIE, LTD.		ACTIVE	NY
155.	LULU & PETE, L.L.C.		ACTIVE/COMPLIANCE	GA
156.	LULU & REIB'S BRIDGE CLUB, LTD.		AUTOMATIC DISSOLUTION	MI
157.	LULU & RUDI'S LLC		ACTIVE	NY
158.	LULU & SYD'S GOURMET DOG COOKIES		ACTIVE	VT
159.	LULU & TUTZ, LLC		ACTIVE	PA
160.	LULU & VICKY INT'L TRADING INC.		ACTIVE	NY
161.	LULU 99 CENTS DISCOUNT INC.		ACTIVE	NY
162.	LULU ACCESSORIES LLC		ACTIVE	NY
163.	LULU ACCESSORIES, INC.		INACTIVE	NY
164.	LULU ACCESSORIES, INC.		FORFEITED EXISTENCE	TX
165.	LULU AMORNMARN, M.D., P.A.		ACTIVE	FL
166.	LULU AND ANNE, LLC		ACTIVE	MD
167.	LULU AND B. PANDA INVESTMENTS, LLC		ACTIVE	NV
168.	LULU AND COMPANY, LLC		ACTIVE	CA
169.	LULU AND FINN, L.L.C.		EXPIRED	UT
170.	LULU AND FINN, L.L.C.		ACTIVE	UT
171.	LULU AND FRIENDS, INC.		ADMIN DISSOLVED(FILE A/R)	AZ
172.	LULU AND PETUNIA PHOTOGRAPHY, INC.		ACTIVE	FL
173.	LULU AND PETUNIA, INCORPORATED		INACTIVE	FL
174.	LULU APPAREL, INC.		ACTIVE	CA
175.	LULU ART & DESIGN		ACTIVE	VT
176.	LULU ASIAN BISTRO		TRADENAME-STTS NOT AVAILABLE	CO
177.	LULU ASIAN FUSION		TRADENAME-STTS NOT AVAILABLE	CO
178.	LULU ASSETS, LLC		ACTIVE	NY
179.	LULU B CARDS		ACTIVE	MN
180.	LULU B NURSING AND MATERNITY LLC		ACTIVE	CA

181.	LULU B'S GRILL		ACTIVE	FL
182.	LULU B'S HOUSEKEEPING & CLEANING SERVICE, LLC		ACTIVE/IN GOOD STANDING	AZ
183.	LULU B'S RESTAURANT GROUP, INC.		ACTIVE	FL
184.	LULU B'S SANDWICHES LLC		IN EXISTENCE	TX
185.	LULU BAKER, INC.		ACTIVE	CA
186.	LULU BAKERY PASTELERIA		ACTIVE	NV
187.	LULU BAKING COMPANY		ACTIVE	PA
188.	LULU BEADS		ACTIVE	PA
189.	LULU BEAN INC.		ACTIVE	FL
190.	LULU BEAN'S		INACTIVE	MN
191.	LULU BEAN'S, INC.		ACTIVE	MN
192.	LULU BEANS INC. OF WILLMAR		ACTIVE	MN
193.	LULU BEDS		ACTIVE	FL
194.	LULU BELL AND HER ALL STAR ENTERTAINERS, LLC		ACTIVE & IN GOOD STANDING	KS
195.	LULU BELL APARTMENTS INC.		INACTIVE	FL
196.	LULU BELL CORPORATION		INACTIVE	FL
197.	LULU BELL'S ROUNDUP		INACTIVE	OR
198.	LULU BELL'S ROUNDUP, L.L.C		INACTIVE	OR
199.	LULU BELLE BABY BOUTIQUE		ACTIVE	FL
200.	LULU BELLE BAGS		RECEIVED	PA
201.	LULU BELLE BOUTIQUE, LLC		ACTIVE	CA
202.	LULU BELLE CLUB (THE)		ACTIVE	WV
203.	LULU BELLE DESIGNS		CURRENT	ID
204.	LULU BELLE LLC		ACTIVE	UT
205.	LULU BELLE LLC		ACTIVE	MO
206.	LULU BELLE NOVELTY HEADWEAR, INC.		INACTIVE	NY
207.	LULU BELLE SMOCKS & FROCKS		ACTIVE	PA
208.	LULU BELLE SMOCKS & FROCKS		ACTIVE	PA
209.	LULU BELLE'S		ACTIVE	MN
210.	LULU BELLE'S		EXPIRED	NV
211.	LULU BELLE'S PARIS MARKET		CURRENT	ID
212.	LULU BELLE, INC.		ACTIVE	FL
213.	LULU BELLE, INC.		INACTIVE	NY
214.	LULU BELLES			MO
215.	LULU BELLES ENTERPRISES, INC.		INACTIVE	FL
216.	LULU BELLES, INC.		GOOD STANDING	MO

217.	LULU BELLS TREASURES, INC.		ACTIVE	NY
218.	LULU BERLUE		FORFEITED	MD
219.	LULU BERLUE, INC.		FORFEITED	MD
220.	LULU BEVERAGE, INC.		INACTIVE	NY
221.	LULU BLUE, LLC		ACTIVE	CA
222.	LULU BLUE, INC.		DISSOLVED	NV
223.	LULU BLUEBERRY, LLC		ORGANIZED	WI
224.	LULU BOS FARMS, LTD.		DELETED	IA
225.	LULU BOUTIQUE		ACTIVE	FL
226.	LULU BOUTIQUE		ACTIVE	PA
227.	LULU BOUTIQUE, INC.		ACTIVE	CA
228.	LULU BOWERS FARM LIMITED		ACTIVE	IA
229.	LULU BRAVO, INC.	IOSSA, INC.	INACTIVE	NY
230.	LULU BURAS HEALTH & BEAUTY, INC.		INACTIVE	FL
231.	LULU BURAS SALONS		ACTIVE	LA
232.	LULU BURGESS, INC.		GOOD STANDING	SC
233.	LULU BURGESS, LLC		DISSOLVED	SC
234.	LULU CAKE COMPANY		ACTIVE	PA
235.	LULU CAR SERVICE		ACTIVE	FL
236.	LULU CARPENTER'S CAFE, INC.	FAT DADDY FOODS, INC.	ACTIVE	CA
237.	LULU CARPETS INC.		INACTIVE	NY
238.	LULU CATBOAT, LLC		GOOD STANDING	SC
239.	LULU CATERERS, INC.		DISSOLVED	IL
240.	LULU CEMETERY ASSOCIATION, INC.		GOOD STANDING	MO
241.	LULU CHIC		ACTIVE	OR
242.	LULU CHIC		ACTIVE	PA
243.	LULU CHIC, LLC		TERMINATED	WA
244.	LULU CHRISTIES, INC.		CANCELED/NAME RESERVED	OH
245.	LULU CIGAR COMPANY		ACTIVE	PA
246.	LULU CITY METALS TRADING		TRADENAME-STIS NOT AVAILABLE	CO
247.	LULU CITY PIZZA		TRADENAME-STIS NOT AVAILABLE	CO
248.	LULU CLAMS, INC.		INACTIVE	FL
249.	LULU CLINIC, INC.	LULU'S ELECTROLYSIS,	INACTIVE	NY

		INC.		
250.	LULU CLOTHING COMPANY, INC.		INACTIVE	NY
251.	LULU CO.		ACTIVE	MN
252.	LULU CO. INC.		ACTIVE	MN
253.	LULU COAL CO., INC.		INACTIVE	KY
254.	LULU COAL COMPANY		ACTIVE	PA
255.	LULU COMMUNICATIONS, INC.		INACTIVE	FL
256.	LULU CONSTRUCTION, INC.		SUSPENDED	CA
257.	LULU CONSULTANTS INTERNATIONAL, INC.		INACTIVE	FL
258.	LULU CONSULTING INC.		ACTIVE	NY
259.	LULU CONSULTING, INC.		ACTIVE	FL
260.	LULU CONSULTING, INC.		INACTIVE	FL
261.	LULU CONVENIENCE STORE CORP.		ACTIVE	OH
262.	LULU CORPORATION		GOOD STANDING	MT
263.	LULU CORPORATION OF DELAWARE, INC.		INACTIVE	FL
264.	LULU COURT HOMEOWNERS ASSOCIATION, INC.		ACTIVE	NY
265.	LULU COUTURE		ACTIVE	FL
266.	LULU COUTURE		ACTIVE	MN
267.	LULU CREATIONS, INC.		INACTIVE	NY
268.	LULU CRICKETS, INC.		GOOD STANDING	MO
269.	LULU D.K. INC.		ACTIVE	NY
270.	LULU DECOR, INC.	LULU GENERAL TRADING, INC.	IN EXISTENCE	TX
271.	LULU DELGADO, PC		ACTIVE	UT
272.	LULU DENTAL		ACTIVE	FL
273.	LULU DESIGN, INC.		ACTIVE	FL
274.	LULU DESIGNS		ACTIVE	FL
275.	LULU DESIGNS		ACTIVE	PA
276.	LULU DEVELOPMENT ASSOCIATES, LLC		ACTIVE	CT
277.	LULU DIM SUM RESTAURANT			MO
278.	LULU DISTRIBUTION INC.		ACTIVE	MN
279.	LULU DK 2003 LLC		ACTIVE	NY
280.	LULU EATS & ENTERTAINS, LLC		GOOD STANDING	MS
281.	LULU ENTERPRISE, INC.		ACTIVE	NC
282.	LULU ENTERPRISE, INC.		ACTIVE	NY

283.	LULU ENTERPRISES		ACTIVE	FL
284.	LULU ENTERPRISES		TRADENAME-STS NOT AVAILABLE	CO
285.	LULU ENTERPRISES INC.		INACTIVE	NY
286.	LULU ENTERPRISES LLC		ACTIVE	MA
287.	LULU ENTERPRISES LTD., INC.		ACTIVE	FL
288.	LULU ENTERPRISES, INC.		INACTIVE	FL
289.	LULU ENTERPRISES, INC.		INACTIVE	FL
290.	LULU ENTERPRISES, INC.		ACTIVE	NC
291.	LULU ENTERPRISES, INC.		FORFEITED EXISTENCE	TX
292.	LULU ENTERPRISES, INC.		GOOD STANDING	IL
293.	LULU ENTERPRISES, INC.		ACTIVE	OH
294.	LULU ENTERPRISES, LLC		ACTIVE	OR
295.	LULU ENTERPRISES, LLC		ACTIVE	PA
296.	LULU ENTERPRISES, LLC, DISSOLVED APRIL 30, 2005		ADMINISTRATIVELY DISSOLVED	CO
297.	LULU ENTERTAINMENT, INC.		ACTIVE	CA
298.	LULU ESTATES, LLC		ACTIVE	NC
299.	LULU EXPLORATION COMPANY, LTD.		MERGED INTO ANOTHER ENTITY	LA
300.	LULU EXPRESS TELECOMMUNICATIONS, INC.		INACTIVE	NY
301.	LULU FABOO		IN EXISTENCE	OK
302.	LULU FARR ENTERPRISE, INC.		INV. DISSOLVED	HI
303.	LULU FASHION & DESIGN CORPORATION		INACTIVE	NY
304.	LULU FASHION CO., LLC		ACTIVE	NY
305.	LULU FASHION, INC.		ACTIVE	CA
306.	LULU FASHION, INC.		INACTIVE	NY
307.	LULU FASHIONS INC.		INACTIVE	FL
308.	LULU FASHIONS INC.		INACTIVE	NY
309.	LULU FASHIONS, L.L.C.		CANCELED	CA
310.	LULU FILMS, INC.		ACTIVE	CA
311.	LULU FILMS, INC.		ACTIVE	OR
312.	LULU FINANCIAL INVESTMENTS, INC.		ACTIVE	FL
313.	LULU FITNESS ENTERPRISES, L.L.C.		ACTIVE/IN GOOD STANDING	AZ
314.	LULU FLAPS LLC		ACTIVE	FL

315.	LULU FOOD MART & DELI		INACTIVE	MN
316.	LULU FOOD MART & DELI #1		ACTIVE	MN
317.	LULU FOOD MART & DELI, INC.		ACTIVE	MN
318.	LULU FOOD SERVICE, INC.		ACTIVE	CA
319.	LULU FOOD SERVICES, L.L.C.		ACTIVE	AL
320.	LULU FOODS CORP.		ACTIVE	NY
321.	LULU FOODS, INC.		SUSPENDED	CA
322.	LULU FROST, INC.	GIFTS BY LISA, INC.	ACTIVE	NY
323.	LULU G. LEMERY FOUNDATION FOR ARTS & EXPRESSION, INC.		INCORPORATED/QUALIFIED	WI
324.	LULU GIRL		ACTIVE	FL
325.	LULU GIRL LLC		ACTIVE	FL
326.	LULU GLITTERBUG		ACTIVE	UT
327.	LULU GRANDE INC.		FORFEITED EXISTENCE	TX
328.	LULU GROCERY CORP.		ACTIVE	NY
329.	LULU GUINNESS USA, INC.		FORFEITED	CA
330.	LULU GUINNESS USA, INC.		ACTIVE	NY
331.	LULU HAIR CONSULTANT, INC.		GOOD STANDING	AR
332.	LULU HAIR, INC.		ACTIVE	MA
333.	LULU HAIRCUTS, INC.		SUSPENDED	CA
334.	LULU HANDBAGS, INC.	LULU COLLECTION.COM	AUTOMATIC DISSOLUTION	MI
335.	LULU HEALTH PRODUCTS, INC.		ACTIVE	NY
336.	LULU HOLDING CORP.		INACTIVE	NY
337.	LULU HOLDING LLC		ACTIVE	NY
338.	LULU HOLDINGS, INC.		ACTIVE	FL
339.	LULU HOLDINGS, LLC		ACTIVE/IN GOOD STANDING	AZ
340.	LULU HOUSE CLEANING SERVICES INC		ACTIVE	NV
341.	LULU HOUSE INTERNATIONAL, LTD.		INACTIVE	NY
342.	LULU I, LLC		ACTIVE	FL
343.	LULU IMPORTS		ACTIVE	OR
344.	LULU IMPORTS INC		INACTIVE	FL
345.	LULU, INC.		SUSPENDED	CA
346.	LULU, INC.		SUSPENDED	CA
347.	LULU, INC. WHICH WILL DO		ACTIVE	CA

	BUSINESS IN CALIFORNIA AS HARTZ TARTS			
348.	LULU INC.		ACTIVE	NY
349.	LULU INC.		ACTIVE, IN COMPLIANCE	WA
350.	LULU INCORPORATED			MO
351.	LULU INCORPORATED		DISSOLVED	WI
352.	LULU INTERNATIONAL CORP.		INACTIVE	NY
353.	LULU INTERNATIONAL INC.		INACTIVE	OR
354.	LULU INTERNATIONAL INC.		DEFAULT	NV
355.	LULU INTERNATIONAL, INC.		ACTIVE	NY
356.	LULU INVESTMENTS AND ENTERPRISES INC		ACTIVE	FL
357.	LULU INVESTMENTS, INC.		SUSPENDED	CA
358.	LULU INVESTMENTS LIMITED PARTNERSHIP		ACTIVE	MN
359.	LULU INVESTMENTS, LLC		ACTIVE	CA
360.	LULU INVESTMENTS LLC		ACTIVE	NV
361.	LULU INVESTMENTS, INC.		REVOKED CHARTER	RI
362.	LULU INVESTMENTS, LLC		ACTIVE	FL
363.	LULU INVESTMENTS, LLC		DELINQUENT	WI
364.	LULU JAMES, LLC		ACTIVE	NC
365.	LULU JAY INVESTMENTS, LLC		ACTIVE	NV
366.	LULU JEWELRY, INC.		INACTIVE	NY
367.	LULU JEWELS		TRADENAME-STS NOT AVAILABLE	CO
368.	LULU JOHNSON INC.		INACTIVE	NY
369.	LULU KARAOKE & BAR, INC.		ACTIVE	VA
370.	LULU L. DELA CRUZ		EXPIRED	HI
371.	LULU LACKEY, INC.		ACTIVE	HI
372.	LULU LAND COMPANY LLC		ACTIVE	CA
373.	LULU LEATHER HANDBAG INC.		INACTIVE	NY
374.	LULU LIQUIDATORS		ACTIVE	FL
375.	LULU LIVERY MANAGEMENT CORP.		ACTIVE	NY
376.	LULU LLC		ACTIVE	CA
377.	LULU LORI, INC.		INACTIVE	NY
378.	LULU LOUNGE, INC.		ACTIVE	CA
379.	LULU LUMBER CO		INACTIVE	FL
380.	LULU LUXE LLC		ACTIVE/COMPLIANCE	GA

381.	LULU MAC		ACTIVE	FL
382.	LULU MAC, LLC		EXISTING	ID
383.	LULU MADISON, INC.		INACTIVE	FL
384.	LULU MAHONEY'S TATTOO STUDIO, INC.		ACTIVE	FL
385.	LULU MAINTENANCE SERVICE, INC.		DISSOLVED	IL
386.	LULU MANAGEMENT GROUP, INC.		CERT. OF DISSOLUTION	MI
387.	LULU MANAGEMENT, LLC		ACTIVE	NY
388.	LULU MEAT CORP.		INACTIVE	NY
389.	LULU MEAT CORP.		INACTIVE	NY
390.	LULU MEDIA, INC.		ACTIVE	NY
391.	LULU MEDIA, INC.		INACTIVE	NY
392.	LULU MEDIA, LLC		ACTIVE/IN GOOD STANDING	AZ
393.	LULU MINES, INC.		SUSPENDED	CA
394.	LULU MING INTERNATIONAL OPERATIONS LTD		ACTIVE	NY
395.	LULU MOTORS, INC.		DISSOLUTION	KS
396.	LULU MUNCHIES, INC.		INACTIVE	NY
397.	LULU NAILS		CANCELED NAME NOT RESERVED	OH
398.	LULU NAILS, LLC		ACTIVE	OH
399.	LULU OF BOCA, INC.		ACTIVE	FL
400.	LULU ONLINE, LTD.		ACTIVE	OH
401.	LULU ORIGINALS, LLC		ACTIVE/OWES CURRENT YEAR	GA
402.	LULU OUTLET INC.		ACTIVE	NY
403.	LULU PACKING CORPORATION		DISSOLVED	CA
404.	LULU PAD		ACTIVE	MN
405.	LULU PAD LLC		INACTIVE	MN
406.	LULU PANDORA PRODUCTIONS INC.		INACTIVE	NY
407.	LULU PARTS, INC		ACTIVE	FL
408.	LULU PETITE, INC.		ACTIVE	CA
409.	LULU PHOTOGRAPHY, LLC		ACTIVE	MD
410.	LULU PICTURES, INC.		DISSOLVED	NH
411.	LULU PIPE REPAIR, INC.		SUSPENDED	CA
412.	LULU PIZZA, INC.		AUTOMATIC DISSOLUTION	MI
413.	LULU POTTERY INC.		INACTIVE	FL

414.	LULU POTTS, LLC		ACTIVE, IN COMPLIANCE	WA
415.	LULU POWER ARTISTIC CREATIONS, LLC		ACTIVE	MI
416.	LULU PRESS, INC.		ACTIVE	NC
417.	LULU PRODUCTIONS		SUSPENDED	CA
418.	LULU PRODUCTIONS INC.		INACTIVE	NY
419.	LULU PRODUCTIONS INC.		INACTIVE	NY
420.	LULU PRODUCTIONS, LLC		FORFEITED	MD
421.	LULU PRODUCTIONS, LLC		ORGANIZED	WI
422.	LULU PRODUCTIONS, LTD.	LU LU PRODUCTIONS, LTD.	DISSOLVED	CT
423.	LULU PRODUCTS, INC.		INACTIVE	NY
424.	LULU PROMOTIONS, INC., DISSOLVED NOVEMBER 1, 1998		ADMINISTRATIVELY DISSOLVED	CO
425.	LULU PROPERTIES, LLC		ACTIVE	CA
426.	LULU PROPERTIES LLC		ACTIVE	OH
427.	LULU PROPERTIES, INC.		INACTIVE	FL
428.	LULU PROPERTIES, L.L.C.		ACTIVE, IN COMPLIANCE	WA
429.	LULU PROPERTIES, LLC		INACTIVE	MN
430.	LULU PROPERTIES, LLC		ACTIVE	NC
431.	LULU PROPERTIES, LLC		REVOKED CHARTER	RI
432.	LULU RADIO		INACTIVE	OR
433.	LULU RAE CONFECTIONS, LLC		ACTIVE	CA
434.	LULU REAL ESTATE HOLDINGS, L.L.C.		ACTIVE/IN GOOD STANDING	AZ
435.	LULU REAL ESTATE, LLC		ACTIVE	CA
436.	LULU REAL ESTATE, LLC		ACTIVE	MO
437.	LULU REALTY CORP.		ACTIVE	NY
438.	LULU REALTY CORP.		INACTIVE	NY
439.	LULU REALTY, LLC		ACTIVE	MA
440.	LULU RESTAURANTS, INC.		INACTIVE	FL
441.	LULU ROMAN EVANGELISTIC CHRISTIAN FOUNDATION		FORFEITED EXISTENCE	TX
442.	LULU ROMAN SAVED TO SERVE, INCORPORATED		FORFEITED EXISTENCE	TX
443.	LULU ROODY DESIGN, LTD.		INACTIVE	NY
444.	LULU ROSE, INCORPORATED		ACTIVE	PA
445.	LULU'S ALIBI, INC.		SUSPENDED	CA

446.	LULU'S BACK, INC.		SUSPENDED	CA
447.	LULU'S BAKES INC.		ACTIVE	CA
448.	LULU'S BEAUTY SALON, INC.		ACTIVE	CA
449.	LULU'S BEEHIVE, INC.		SUSPENDED	CA
450.	LULU'S BY TRAVIS PARKER, INC.		ACTIVE	CA
451.	LULU'S CAFE, INC.		ACTIVE	CA
452.	LULU'S COFFEE SHOP, INC.		DISSOLVED	CA
453.	LULU'S DESSERT CORPORATION	MEXICO AND WESTSIDE CONNECTIONS, INC.	ACTIVE	CA
454.	LULU'S ENTERPRISE, LLC		ACTIVE	CA
455.	LULU'S FASHION LOUNGE, INC.		ACTIVE	CA
456.	LULU'S, INC.		ACTIVE	CA
457.	LULU'S JUMP'N MORE INC.		ACTIVE	CA
458.	LULU'S LAVENDER FARM, LLC		ACTIVE	CA
459.	LULU'S ON THE ALAMEDA LLC		ACTIVE	CA
460.	LULU'S STICKY CHICKEN, INC.		SUSPENDED	CA
461.	LULU'S TRUCKING, INC.		ACTIVE	CA
462.	LULU'S WORLD, LLC		ACTIVE	CA
463.	LULU SALON AND SPA		NAME RESERVATION	KS
464.	LULU SALON INC.		ACTIVE	CA
465.	LULU SALON, INC.		ACTIVE	NY
466.	LULU SEAFOOD RESTAURANT			MO
467.	LULU SEAFOOD RESTAURANT			MO
468.	LULU SEAFOOD RESTAURANT			MO
469.	LULU SECRETS		ACTIVE	FL
470.	LULU SERVICES INC.		ACTIVE	MI
471.	LULU SERVICES LLC		ACTIVE	CA
472.	LULU SHEIN, M.D., INC.		DISSOLVED	CA
473.	LULU SHEN-CHOW		ACTIVE	HI
474.	LULU SHEN-CHOW		ACTIVE	HI
475.	LULU SHEN-CHOW		ACTIVE	HI
476.	LULU & SHERRY TENG CHARITABLE FOUNDATION		ACTIVE	CA
477.	LULU SHOES INC.		ACTIVE	NY
478.	LULU SMITH STUDIO, INC.		ACTIVE, IN COMPLIANCE	WA
479.	LULU SPANIEL RESCUE FOUNDATION, INC.		ACTIVE	NY

480.	LULU SPORTS, LLC		ACTIVE	CA
481.	LULU SPORTS LLC		FORFEITED	MD
482.	LULU SPORTSWEAR, INC.		INACTIVE	NY
483.	LULU STAR LADIES APPAREL LTD.	LULU STAR LADIES APPAREL, LTD.	INACTIVE	NY
484.	LULU STORE DOLLAR AND MORE INC.		CERT. OF DISSOLUTION	MI
485.	LULU STRATEGY, INC		ACTIVE	OH
486.	LULU STUDIO, INC.	NEST STUDIO INC.	ACTIVE/IN GOOD STANDING	RI
487.	LULU STUDIOS INC.		ACTIVE	NY
488.	LULU STUDIOS, LLC		ACTIVE	PA
489.	LULU STYLE INC.		VOLUNTARILY DISSOLVED	TX
490.	LULU TE'O FRASER		EXPIRED	HI
491.	LULU TECHNOLOGY CIRCUS, INC.		ACTIVE	NC
492.	LULU TEMPLE PRO SHOP, INC.		ACTIVE	PA
493.	LULU TONG, INC.		ACTIVE	NY
494.	LULU TRADING COMPANY		AUTOMATED ADMINISTRATIVE	GA
495.	LULU TRADING, INC.		INCORPORATED	MD
496.	LULU TRANSPORTATION, INC.		ACTIVE	MA
497.	LULU TRUCKING INC.		CERT. OF DISSOLUTION	MI
498.	LULU TRUCKING, INC.		ACTIVE	FL
499.	LULU TRUCKING, INC.		INACTIVE	FL
500.	LULU TSAI, M.D., P.C.		ACTIVE	OR
501.	LULU TWO COMMUNICATIONS, INC.		INACTIVE	FL
502.	LULU UNLIMITED, LLC		GOOD STANDING	CO
503.	LULU URBAN EDUCATIONAL INSTITUTE		SUSPENDED	CA
504.	LULU USA		ACTIVE	FL
505.	LULU USA CORPORATION		INACTIVE	FL
506.	LULU VALLEY TOWN COMPANY		TERM EXPIRED	KS
507.	LULU VANITIES INCORPORATED		ACTIVE	VA
508.	LULU VANITIES, INC			NJ
509.	LULU VENTURES, L.L.C.	LULU'S VENTURES, L.L.C.	ACTIVE & IN GOOD STANDING	KS
510.	LULU VENTURES, LLC		REVOKED	NV

511.	LULU VOLUNTEER FIRE DEPARTMENT, INC.		ACTIVE	FL
512.	LULU WALKER ELEMENTARY PARENT-TEACHER ORGANIZATION		ACTIVE/IN GOOD STANDING	AZ
513.	LULU WEAR, INC.		SUSPENDED	CA
514.	LULU WELLINGTON'S		ACTIVE	PA
515.	LULU WELLINGTON'S		ACTIVE	PA
516.	LULU WHITE / STORYVILLE, NEW ORLEANS		ACTIVE	LA
517.	LULU WHITE, STORYVILLE, NEW ORLEANS, LA INC.		CHARTER REVOKED BY SECY OF STATE	LA
518.	LULU ZHANG LIMITED LIABILITY COMPANY		GOOD STANDING	IL
519.	LULU'S		ACTIVE	FL
520.	LULU'S		EXPIRED	FL
521.	LULU'S		INACTIVE	MN
522.	LULU'S		ACTIVE	PA
523.	LULU'S		DISSOLVED	CO
524.	LULU'S ALL AMERICAN DINER, LLC		ACTIVE	FL
525.	LULU'S ARTWEAR COLLECTION, INC.		INACTIVE	NY
526.	LULU'S AT THE BELLE KAY, INC.	GIRLY GIRL, INC.	GOOD STANDING	IL
527.	LULU'S ATTIC		ACTIVE	FL
528.	LULU'S ATTIC, LLC		AUTOMATED ADMINISTRATIVE	GA
529.	LULU'S B & B		ACTIVE	MN
530.	LULU'S B & B FOR DOGS, LIMITED		ACTIVE, IN COMPLIANCE	WA
531.	LULU'S BACK, INC.		INACTIVE	NY
532.	LULU'S BAIT & TACKLE		EXPIRED	FL
533.	LULU'S BAIT SHACK		ACTIVE	FL
534.	LULU'S BAIT SHACK OF FORT LAUDERDALE, INC.		ACTIVE	FL
535.	LULU'S BAIT SHOP, INC.	LULU'S ICEHOUSE, INC.	GOOD STANDING	IL
536.	LULU'S BAR & GRILL		ACTIVE	FL
537.	LULU'S BAR & REST. CORP.		INACTIVE	NY
538.	LULU'S BARNYARD		GOOD STANDING	MT
539.	LULU'S BEAUTY SALON AND SUPPLY INC.		EXPIRED	UT
540.	LULU'S BEAUTY SALON AND		ACTIVE	UT

	SUPPLY INC.			
541.	LULU'S BEAUTY SUPPLY		ACTIVE	FL
542.	LULU'S BEAUTY SUPPLY, INC.		INACTIVE	FL
543.	LULU'S BEAUTY SUPPLY, INC.		ACTIVE	FL
544.	LULU'S BLUES		ACTIVE	FL
545.	LULU'S BOARDING HOME		ACTIVE	FL
546.	LULU'S BOARDING HOME		EXPIRED	FL
547.	LULU'S BOARDING HOME		ACTIVE	FL
548.	LULU'S BOARDING HOME, INC.		ACTIVE	FL
549.	LULU'S BOUTIQUE		ACTIVE	FL
550.	LULU'S BOUTIQUE			MO
551.	LULU'S BOUTIQUE, L.L.C.		ACTIVE	LA
552.	LULU'S BOUTIQUE, LLC		ACTIVE/OWES CURRENT YEAR	GA
553.	LULU'S BOWITQUE, LLC		GOOD STANDING	MS
554.	LULU'S BRA & GRILL		ACTIVE	FL
555.	LULU'S BRA & GRILL, INC.		ACTIVE	FL
556.	LULU'S BREAD BOX, LLC		ACTIVE	PA
557.	LULU'S BURGER'S PRIVATE CLUB, INC.		FORFEITED EXISTENCE	TX
558.	LULU'S BY LINDA		CURRENT	ID
559.	LULU'S CADILLAC CAFE, LLC		ACTIVE	NC
560.	LULU'S CAFE		ACTIVE	FL
561.	LULU'S CAFE		INACTIVE	OR
562.	LULU'S CAFE COMPANY		DISSOLVED	LA
563.	LULU'S CAFE L.L.C.		ACTIVE	MI
564.	LULU'S CAFE, INC.		AUTOMATIC DISSOLUTION	MI
565.	LULU'S CAKES		ACTIVE	NH
566.	LULU'S CANDLES		ACTIVE	FL
567.	LULU'S CANINE CUISINE, INC.		GOOD STANDING	IL
568.	LULU'S CAR WASH, LLC		ACTIVE	FL
569.	LULU'S CARDS & GIFTS, INC.	LULU'S HALLMARK SHOP	TERMINATED(AUTO- MATIC)	VA
570.	LULU'S CARIBBEAN CUISINE, INC.		INACTIVE	FL
571.	LULU'S CARPET CLEANING		ACTIVE	UT
572.	LULU'S CATERING, INC.		REVOKED	NV
573.	LULU'S CHICKEN CABIN, INC.		VOLUNTARILY DISSOLVED	TX

574.	LULU'S CHILD CARE FAMILY HOME		ACTIVE	FL
575.	LULU'S CHILD CARE L.L.C.		INACTIVE	OR
576.	LULU'S CHOCOLATE BAR, LLC		ACTIVE/COMPLIANCE	GA
577.	LULU'S CLASSIC CUISINE		ACTIVE	VT
578.	LULU'S CLASSICALLY HIP DECOR, LLC		GOOD STANDING	CO
579.	LULU'S CLEANING		ACTIVE	FL
580.	LULU'S CLEANING		ACTIVE	UT
581.	LULU'S CLEANING SERVICE		ACTIVE	UT
582.	LULU'S CLEANING SERVICES INC.		ACTIVE	FL
583.	LULU'S CLEANING SERVICES, INC.		GOOD STANDING	IL
584.	LULU'S CLOSET, LLC		ACTIVE	VA
585.	LULU'S CLOTHING, INC.		INACTIVE	FL
586.	LULU'S COCO, LLC		ACTIVE	OR
587.	LULU'S COFFEE HOUSE, LLC		ACTIVE	TN
588.	LULU'S COLLECTIBLES, INC.		ACTIVE	FL
589.	LULU'S COMMUNICATION, INC.		INACTIVE	NY
590.	LULU'S COMPLETE AUTO CARE		ACTIVE	FL
591.	LULU'S CONES & CONEY'S, LLC		ACTIVE	MI
592.	LULU'S CONSIGNMENT BOUTIQUE LLC		ACTIVE	NC
593.	LULU'S COTTAGE, INC.		GOOD STANDING	IL
594.	LULU'S COUNTRY CANDLES		GOOD STANDING	MT
595.	LULU'S CREATIVE CAFE, INC.		DISSOLVED	IL
596.	LULU'S CREATIVE CONFECTIONS, LLC		ACTIVE	FL
597.	LULU'S CREATIVE SAUCES, INC.		INACTIVE	FL
598.	LULU'S CUPCAKES, LLC		ACTIVE/IN GOOD STANDING	AZ
599.	LULU'S CUTS AND TOYS, INC.		ACTIVE	NY
600.	LULU'S DANCE, LLC		DISSOLVE DATE SEE BELOW	AZ
601.	LULU'S DAY CARE		ACTIVE	UT
602.	LULU'S DAYCARE CENTER, INC.		INACTIVE	FL
603.	LULU'S DEIGHTS, INC.		INACTIVE	MA
604.	LULU'S DELI AND RESTAURANTS, INC.		INACTIVE	FL
605.	LULU'S DELI INC.		INACTIVE	NY
606.	LULU'S DELIGHTS L.L.C.		ACTIVE	NC
607.	LULU'S DESIGN, LLC		IN EXISTENCE	TX

608.	LULU'S DINER		INACTIVE	OR
609.	LULU'S DINER, INC.		INACTIVE	FL
610.	LULU'S DINER, INC.		FORFEITED-FAILED TO FILE TIMELY A/R	KS
611.	LULU'S DINER, LLC		CANCELED	VA
612.	LULU'S DINNER BY DESIGN		ACTIVE	NH
613.	LULU'S ELECTRIC CAFE INCORPORATED		ACTIVE	IN
614.	LULU'S ENTERPRISES, INC.		ACTIVE	NV
615.	LULU'S ENTERTAINMENT COMPANY		ACTIVE/NONCOMPLIA NCE	GA
616.	LULU'S ETC. INC.		ACTIVE	MI
617.	LULU'S EXPRESS CAR WASH, INC.		ACTIVE/NONCOMPLIA NCE	GA
618.	LULU'S EXPRESS CARE WASH, INC.		FLAWED/DEFICIENT	GA
619.	LULU'S EXTERIOR EXPRESS, LLC		ACTIVE/COMPLIANCE	GA
620.	LULU'S FARMERS MARKET		ACTIVE	FL
621.	LULU'S FASHION COMPANY		ACTIVE	IN
622.	LULU'S FASHIONS, L.L.C.	LULU'S FASHIONS, L.L.C.	IN EXISTENCE	TX
623.	LULU'S FASHIONS, LTD.			IL
624.	LULU'S FINE HOME FURNISHINGS & CONSIGNMENT, LLC	LULU'S FINE HOME FURNISHINGS & CONSIGNMENT	ACTIVE	KY
625.	LULU'S FINISHING CORP.		ACTIVE	NY
626.	LULU'S FISH AND CHIPS INC.		INACTIVE	NY
627.	LULU'S FLAVORS CORP.		INACTIVE	FL
628.	LULU'S FLOWERS, SILKS & THINGS, INC.		INACTIVE	FL
629.	LULU'S FRIENDS INC.		ACTIVE	FL
630.	LULU'S FRILLY CHIC BOUTIQUE		ACTIVE	FL
631.	LULU'S FUN FOOD			MO
632.	LULU'S FUN FOOD, LLC		ACTIVE	AL
633.	LULU'S GALLERY OF GIFTS LLC		ACTIVE	NY
634.	LULU'S GARAGE, INC.		ACTIVE	NC
635.	LULU'S GARDEN		ACTIVE	FL
636.	LULU'S GARDEN		TRADENAME-STIS NOT AVAILABLE	CO

637.	LULU'S GARDEN INC.		ACTIVE	FL
638.	LULU'S GAS & GRUB INC.		GOOD STANDING	CO
639.	LULU'S GIFT EMPORIUM, INC.		ACTIVE	FL
640.	LULU'S GIFT SHOP INC.		GOOD STANDING	IL
641.	LULU'S GIFTS, INC.		GOOD STANDING	SC
642.	LULU'S GIFTS, INC.		AUTOMATIC DISSOLUTION	MI
643.	LULU'S GRILL, LLC		ACTIVE	MO
644.	LULU'S GROUP		ACTIVE	HI
645.	LULU'S HAIR COMPANY, INC.		IN EXISTENCE	TX
646.	LULU'S HAIR SALON, INC.		ACTIVE	NY
647.	LULU'S HAIR STUDIO, P.C.		GOOD STANDING	IL
648.	LULU'S HAIRCUTS, LLC		ACTIVE, IN COMPLIANCE	WA
649.	LULU'S HAWAIIAN ICE			MO
650.	LULU'S HAWAIIAN ICE		INACTIVE	MO
651.	LULU'S HERO'S & PIZZA & ITALIANO RESTORANTI INC.		ACTIVE	NY
652.	LULU'S HOLDINGS, LLC		ACTIVE/COMPLIANCE	GA
653.	LULU'S HOME & GARDEN DECOR		INACTIVE	OR
654.	LULU'S HOT DIGGITY DOG, INC.		DISSOLVED	IL
655.	LULU'S HOT DOGS, INC.		ACTIVE	VA
656.	LULU'S HOUSE OF STYLE, LLC		GOOD STANDING	AR
657.	LULU'S HOUSEKEEPING SERVICES, LLC		ACTIVE	OR
658.	LULU'S II, INC.		ACTIVE, IN COMPLIANCE	WA
659.	LULU'S IMPORTS & ANTIQUES, INC.		DISSOLUTION	SD
660.	LULU'S INC.		EXPIRED	UT
661.	LULU'S INC.		INACTIVE	MA
662.	LULU'S INTERNATIONAL, INC.	LULU'S BUFFET	FORFEITED EXISTENCE	TX
663.	LULU'S JAVA HUT		TRADENAME-STS NOT AVAILABLE	CO
664.	LULU'S KIDS WEAR		INACTIVE	OR
665.	LULU'S KIDS, INCORPORATED		ACTIVE	NC
666.	LULU'S KITCHEN INC.		INACTIVE	NY
667.	LULU'S KITCHEN KATERING		ACTIVE	FL
668.	LULU'S KITCHEN LLC.		TRADENAME-STS NOT AVAILABLE	CO

669.	LULU'S KITCHEN, INC.		ACTIVE	AL
670.	LULU'S KITCHEN, INC.		GOOD STANDING	CO
671.	LULU'S L.L.C.		ACTIVE/IN GOOD STANDING	AZ
672.	LULU'S L.L.C.		ACTIVE	MI
673.	LULU'S LALA'S		ACTIVE	VT
674.	LULU'S LANDING, INC.		ACTIVE	AL
675.	LULU'S LANDRY-MAT		ACTIVE	FL
676.	LULU'S LANDSCAPE ETC.		ACTIVE	FL
677.	LULU'S LANDSCAPING, L.L.C.		ACTIVE	LA
678.	LULU'S LAUNDROMAT		INACTIVE	MN
679.	LULU'S LAUNDROMAT		ACTIVE	MN
680.	LULU'S LAVENDER		ACTIVE	PA
681.	LULU'S LAWN CARE		ACTIVE	FL
682.	LULU'S LILYPAD		ACTIVE	VT
683.	LULU'S LIMOUSINE, INC.		DISSOLVED	IL
684.	LULU'S LINGERIE, INC.	BRA LAND	ACTIVE	MI
685.	LULU'S LITTLE TOTS		ACTIVE	FL
686.	LULU'S LLC		INACTIVE	FL
687.	LULU'S LLC		RESERVED NAME	SC
688.	LULU'S LLC		GOOD STANDING	SC
689.	LULU'S LOOT		ACTIVE	FL
690.	LULU'S LOT, INC., DISSOLVED FEBRUARY 1, 1999		ADMINISTRATIVELY DISSOLVED	CO
691.	LULU'S LOW COUNTRY KITCHEN, LLC		GOOD STANDING	CO
692.	LULU'S LTD.		ACTIVE/IN GOOD STANDING	RI
693.	LULU'S LULLABY, INC.		TERMINATED	WA
694.	LULU'S LUNCHBOX, INC.		ACTIVE	NY
695.	LULU'S LUNCHES		ACTIVE	FL
696.	LULU'S LUXURIES FROM AROUND THE WORLD, LLC		GOOD STANDING	MS
697.	LULU'S MAGIC		ACTIVE	PA
698.	LULU'S MAGICAL RENTALS, INC.		ACTIVE	FL
699.	LULU'S MAGICKAL OASIS, INC.		IN EXISTENCE	TX
700.	LULU'S MAHOGANY HALL		EXPIRED REGISTRATION	LA
701.	LULU'S MAIN STREET CAR WASH		INACTIVE	OR
702.	LULU'S MARKET & DELI, INC.		ACTIVE	NC

703.	LULU'S MARKET FOR PETS AND PEOPLE, INC.		ACTIVE	NC
704.	LULU'S MARKET, INC		DISSOLVED	NV
705.	LULU'S MARKET, LLC		ACTIVE	KY
706.	LULU'S MARKETING INC.		ACTIVE	FL
707.	LULU'S MINI MART		ACTIVE	FL
708.	LULU'S MOONFISH LLC		ACTIVE/IN GOOD STANDING	AZ
709.	LULU'S NAIL SALON, LLC 0		ACTIVE/OWES CURRENT YEAR	GA
710.	LULU'S NAILS MAGIC, LLC		ACTIVE	NY
711.	LULU'S NOR WORLD, INC.		DISSOLVED	IL
712.	LULU'S OAKWOOD CAFE, INC.		INACTIVE	FL
713.	LULU'S OF ANNA MARIA, LLC		ACTIVE	FL
714.	LULU'S OF BUCKHEAD, LLC		AUTOMATED ADMINISTRATIVE	GA
715.	LULU'S OF CAYUGA COUNTY INC.		INACTIVE	NY
716.	LULU'S OF HARTSVILLE, LLC		GOOD STANDING	SC
717.	LULU'S OF HAWAII, INC.		INV. DISSOLVED	HI
718.	LULU'S OFF BROADWAY, INC.		INCORPORATED	MD
719.	LULU'S ON MAIN, INC.		ACTIVE	NC
720.	LULU'S ORLANDO, INC.		ACTIVE	FL
721.	LULU'S PAMPERED POOCH MOBILE DOG GROOMING		ACTIVE	FL
722.	LULU'S PARADICE		ACTIVE	FL
723.	LULU'S PARTIES, INC.		ACTIVE	OH
724.	LULU'S PARTIES, INC.		CANCELED NAME NOT RESERVED	OH
725.	LULU'S PASSION-PURVEYOR OF FRIVOLOUS ADORNMENT		INACTIVE	OR
726.	LULU'S PETROLEUM INC.		ACTIVE	MI
727.	LULU'S PIZZA		CURRENT	ID
728.	LULU'S PIZZA & SUBS INC.		CERT. OF DISSOLUTION	MI
729.	LULU'S PIZZA INC		REVOKED FOREIGN	IN
730.	LULU'S PLACE		ACTIVE	PA
731.	LULU'S PLACE C/O LONG TERM , L C		ACTIVE	FL
732.	LULU'S PLACE INC	LORETTA'S PLACE HOT DOGS & MORE (CITY OF	ACTIVE	VA

		CHESAPEAKE)		
733.	LULU'S PLACE, INC.		INACTIVE	FL
734.	LULU'S PLACE, INC.		DISSOLVED	IL
735.	LULU'S PLAZA'S LIMITED LIABILITY COMPANY		GOOD STANDING	CO
736.	LULU'S PLAZA'S LIMITED LIABILITY COMPANY		ACTIVE	WY
737.	LULU'S POND HOLDINGS, LLC		ACTIVE	NY
738.	LULU'S PROPERTIES, LLC		ACTIVE	NC
739.	LULU'S PROPERTIES, LLC		ACTIVE	UT
740.	LULU'S PUB, INC.		INACTIVE	FL
741.	LULU'S PUPPIES, INC.		ACTIVE	FL
742.	LULU'S REDOS, INC.		ACTIVE	AL
743.	LULU'S REFLECTIONS		ACTIVE	FL
744.	LULU'S REPOSE			MO
745.	LULU'S REPOSE, L.L.C.		ACTIVE	MO
746.	LULU'S RESTAURANT		ACTIVE	FL
747.	LULU'S RESTAURANT GROUP, LLC		AUTOMATED ADMINISTRATIVE	GA
748.	LULU'S RESTAURANT KIHAI, LLC		ACTIVE	HI
749.	LULU'S RESTAURANT, INC		ACTIVE	KY
750.	LULU'S RESTAURANT, INC.		INACTIVE	FL
751.	LULU'S RESTAURANT, LLC		ORGANIZED	WI
752.	LULU'S ROOM, INC.		INACTIVE	NY
753.	LULU'S SALON, LLC		ACTIVE	MI
754.	LULU'S SHOETIQUE INC.		INACTIVE	NY
755.	LULU'S SHOPPING CENTER'S LIMITED LIABILITY COMPANY		DISSOLVED	CO
756.	LULU'S SISTERS, LLC		DISSOLVED	CT
757.	LULU'S SKIN & HAIR, CORP.		ACTIVE	FL
758.	LULU'S SKOKIE WORLD, INC.	OLMSTEAD WORLD, INC.	DISSOLVED	IL
759.	LULU'S SLEEP EZZE MOTEL, LLC		DISSOLVE DATE SEE BELOW	AZ
760.	LULU'S SOLAR ENERGY, INC.		INACTIVE	FL
761.	LULU'S SOUTHERN CHOCOLATES		EXPIRED	UT
762.	LULU'S SPORTING GOODS, INC.		CANCELED NAME NOT RESERVED	OH
763.	LULU'S STRIDE RITE, INC.		FORFEITED EXISTENCE	TX

764.	LULU'S STUFF & CRAFTS, INC.		CERT. OF DISSOLUTION	MI
765.	LULU'S STUFF, INC.		DISSOLVED	IL
766.	LULU'S SUBS-GRILL INC.		INACTIVE	FL
767.	LULU'S SUNSET GRILL LLC		ACTIVE	AL
768.	LULU'S SWEET EXPECTATIONS, LLC		ACTIVE	FL
769.	LULU'S SWEET SHOPPE, LLC		ACTIVE/OWES CURRENT YEAR	GA
770.	LULU'S SWEETS INC.		INACTIVE	NY
771.	LULU'S TABLE MATTERS, L.L.C.		ACTIVE	AL
772.	LULU'S TAVERN LLC		ACTIVE	MI
773.	LULU'S TENNESSEE TREATS, LLC		ADMINISTRATIVELY DISSOLVED	TN
774.	LULU'S THAI NOODLE SHOP AND SATAY BAR, L.L.C.		ACTIVE & IN GOOD STANDING	KS
775.	LULU'S THAI NOODLE SHOP AND SATAY BAR, L.L.C.		ACTIVE	MO
776.	LULU'S TIN STAR SALOON, INC.		FORFEITED EXISTENCE	TX
777.	LULU'S TINY TOTS DAYCARE, INC.		ACTIVE	FL
778.	LULU'S TINY TOTS DAYCARE, INC.		ACTIVE	FL
779.	LULU'S TOUCH, INC.		ACTIVE	FL
780.	LULU'S TRADE INC		ACTIVE	NC
781.	LULU'S TREASURES INC.		FLAWED/DEFICIENT	GA
782.	LULU'S TREASURES INC.		ABANDONED	GA
783.	LULU'S TROPICAL BEACH STORE, INC.		ACTIVE	FL
784.	LULU'S TWO, INC.		REVOKED	NV
785.	LULU'S UPTOWN, INC.		ACTIVE	CT
786.	LULU'S VARIETY STORE CORP.		ACTIVE	NY
787.	LULU'S VCT BAKERY CORP.		ACTIVE	NY
788.	LULU'S VENDING, LLC		ACTIVE	LA
789.	LULU'S VILLAGE PUB, INC.		ACTIVE	NY
790.	LULU'S VINTAGE		INACTIVE	OR
791.	LULU'S WATERFRONT CAFE		ACTIVE	FL
792.	LULU'S WORKS		PENDING EXPIRATION	MT
793.	LULU'S WORLD INC.		ACTIVE	FL
794.	LULU'S WORLD OF GIFTS		ACTIVE	MN
795.	LULU'S X SURFER BAR, LTD.		DISSOLVED	IL
796.	LULU'S XPRESS CAR WASH		ACTIVE	FL

797.	LULU'S XPRESS CAR WASH		ACTIVE	FL
798.	LULU'S ZOO, LLC		CANCELED	VA
799.	LULU'S, INC.		DISSOLVED	AL
800.	LULU'S, INC.		AUTOMATED ADMINISTRATIVE	GA
801.	LULU'S, INC.		ACTIVE	IN
802.	LULU'S, INC.		INACTIVE	MA
803.	LULU'S, INC.		FORFEITED	MD
804.	LULU'S, INC.		ADMINISTRATIVE DISSOLUTION	NC
805.	LULU'S, INC.		ACTIVE	PA
806.	LULU'S, INC.		REVOKED BY DEPT OF REVENUE	TN
807.	LULU'S, INC.		VOLUNTARILY DISSOLVED	TX
808.	LULU'S, INC.	LULU'S	TERMINATED(AUTOM ATIC)	VA
809.	LULU'S, INC.		DISSOLVED	SC
810.	LULU'S, L.L.C.		ACTIVE	AL
811.	LULU'S, L.L.C.		CHARTER REVOKED BY SECY OF STATE	LA
812.	LULU'S, LLC		ACTIVE	AL
813.	LULU'S, LLC		ACTIVE	CT
814.	LULU'S, LLC		ACTIVE	NY
815.	LULU, A EUROPEAN COFFEEHOUSE, LLC		ACTIVE	CT
816.	LULU, INC.		ACTIVE	AL
817.	LULU, INC.		ACTIVE/IN GOOD STANDING	AZ
818.	LULU, INC.		GOOD STANDING	CO
819.	LULU, INC.		INACTIVE	FL
820.	LULU, INC.		INACTIVE	FL
821.	LULU, INC.		ACTIVE	FL
822.	LULU, INC.		ACTIVE/OWES CURRENT YEAR	GA
823.	LULU, INC.		GOOD STANDING	MS
824.	LULU, INC.		INACTIVE	NY
825.	LULU, INC.		OTC SUSPENSION	OK
826.	LULU, INC.		ACTIVE	PA
827.	LULU, INC.		GOOD STANDING	ME
828.	LULU, INC.		CANCELLATION	SD

829.	LULU, INC.		ACTIVE	NV
830.	LULU, INC.		AUTOMATIC DISSOLUTION	MI
831.	LULU, L.L.C.		GOOD STANDING	IL
832.	LULU, LLC		GOOD STANDING	CO
833.	LULU, LLC		ACTIVE	IN
834.	LULU, LLC		PENDING ADMIN DISSOLUTION	KY
835.	LULU, LLC		ACTIVE	NC
836.	LULU, LLC		ADMINISTRATIVELY DISSOLVED	TN
837.	LULU, LLC		GOOD STANDING	AR
838.	LULU-ARNAZ, LLC		ACTIVE	FL
839.	LULU-CAROLINA, INC.	LU-LU CAROLINA, INC.	INACTIVE	NY
840.	LULU-G&B-B205, LLC		INACTIVE	FL
841.	LULU-HAVANA, LLC		ACTIVE	FL
842.	LULU-LEONA, LLC		INACTIVE	FL
843.	LULU-MALINDA, INC.	RIO'S PIZZERIA	AUTOMATIC DISSOLUTION	MI
844.	LULUS		TRADENAME-STS NOT AVAILABLE	CO
845.	LULUS CLEANING SERVICE		ACTIVE	FL
846.	LULUS CLEANING SERVICE, INC.		ACTIVE	VA
847.	LULUS CREATIVE CREATIONS		CURRENT	ID
848.	LULUS GENERAL CLEANING		TRADENAME-STS NOT AVAILABLE	CO
849.	LULUS GIFT STORE		ACTIVE	FL
850.	LULUS HAND-ME-UPS			MO
851.	LULUS ON THE BAYOU, INC.		CHARTER REVOKED BY SECY OF STATE	LA
852.	LULUS PAINTING		TRADENAME-STS NOT AVAILABLE	CO
853.	LULU'S CAFE, INC.		REVENUE SUSPENDED	NC
854.	LUSCIOUS LULU'S		INACTIVE	OR
855.	LYONS FOUNDATION	LULU THORLEY LYONS HOME FOR CRIPPLED AND DELICATE CHILDREN	ACTIVE	NY
856.	MAMA LULU'S FROZEN DRINKS, LLC		IN EXISTENCE	TX

857.	MANY MANSIONS, INC.	LULU & MIMI'S HOUSECLEANERS SUPREME, INC.	ACTIVE & IN GOOD STANDING	KS
858.	MARIA & LULU, INC.		INACTIVE	NY
859.	MARINA COSMETICS, LLC	LULU LIPSTICK LLC	ACTIVE	PA
860.	MARSH'S LULU, LLC		DISSOLVED	CT
861.	MAX & LULU KNIT DESIGNS INC.		INACTIVE	NY
862.	MAX & LULU'S BIJOUX		ACTIVE	PA
863.	METRO DISTRIBUTION GROUP, INC.	LULU PIZZA I	ACTIVE	MI
864.	MICKELSON MANAGEMENT, INC.	LULU PRODUCTIONS, INC.	MERGED OUT	CA
865.	MIGNONETTE LULU BELLE, LLC		REVOKED CHARTER	RI
866.	MIMI LULU, INC.		IN EXISTENCE	TX
867.	MIND BODY CENTER FOR WELL BEING AND LULU BURAS TREATMENT CENTER, SALON, AND DAY SPA, L.L.C.		CHARTER REVOKED BY SECY OF STATE	LA
868.	MINNIE & LULU, LLC		ACTIVE	FL
869.	MISS LULUS BAIL BONDS INC.		IN EXISTENCE	OK
870.	MLR CONSULTING, LLC	MISS LULU INVESTMENTS LLC	ACTIVE	VA
871.	MORGAN, LULU & FRIENDS, INC.	MORGAN, LULU AND FRIENDS, INC.	INACTIVE	MN
872.	MS LULU'S		GOOD STANDING	ME
873.	NAILS BY LULU, INC.		ACTIVE	FL
874.	NANCANG DEVELOPMENT CORP.		SUSPENDED	CA
875.	O! LULU		ACTIVE	FL
876.	OBERLIN HOLDINGS, LLC	LULU HOLDINGS, LLC	ACTIVE	NC
877.	OCCASIONS BY LULU, INC.		ACTIVE	NY
878.	OLIVE & LULU LLC		FORFEITED	MD
879.	PIPER LULU, L.L.C.		ACTIVE	MD
880.	PITLUK MAIN VENTURE, LLC	LULU'S BAKERY & CAFE	FORFEITED EXISTENCE	TX
881.	POSHY-LULU'S, LLC		ACTIVE/COMPLIANCE	GA
882.	PROJECT PRIDE, INC.		ACTIVE	NY
883.	R. & R. PARTY STORE, INC.	LULU PARTY	AUTOMATIC	MI

		STORE	DISSOLUTION	
884.	RALPH AND LULU OWEN FOUNDATION, INC.		TERMINATED	TN
885.	RALPHIE AND LULU'S, INC.		GOOD STANDING	IL
886.	RANCHO DE LULU		INACTIVE	MN
887.	RESTAURANT LULU INC.	BONIA INC.	ACTIVE	CA
888.	RESTAURANT LULU INC.	LULU NAIL SALON, INC.	ACTIVE	NY
889.	RUGGS BY LULU		ACTIVE	MN
890.	SHANGHAI LULU, LLC		ACTIVE	CA
891.	SHEN-CHOW, LULU		EXPIRED	HI
892.	SILICON WEST TRAVEL, INC.		SUSPENDED	CA
893.	SILVERSMYTHING BY LULU INC.		ACTIVE	PA
894.	SPEEDY'S DINER, INC.	COSMOS DINER	INACTIVE	VT
895.	SS LULU ENTERPRISES LLC		ACTIVE	OR
896.	STARDUST CELEBRATIONS, L.L.C.	LULU'S BRIDAL BOUTIQUE	IN EXISTENCE	TX
897.	STINGY LULU'S INC.		INACTIVE	NY
898.	STOP LULU'S IN EVERETT		TERMINATED	WA
899.	STUDIO FUFU LULU, LLC		ACTIVE	CA
900.	STUDIO LULU		CANCELED NAME NOT RESERVED	OH
901.	STUDIO LULU, LLC		ACTIVE	FL
902.	STYLES BY LULU, INC.		ACTIVE/COMPLIANCE	GA
903.	SWEET LULU'S		TRADENAME-STs NOT AVAILABLE	CO
904.	SWEET LULU, L.L.C.		INACTIVE	FL
905.	TAFFY & LULU COUTURE, LLC		ACTIVE	MI
906.	THE ELIZABETH LULU SCHOLARSHIP FOUNDATION		ACTIVE	CA
907.	THE LULU BAG		ACTIVE	FL
908.	THE LULU BELL & ASSOCIATES, INC.		SUSPENDED	CA
909.	THE LULU BELLE MEMORIAL ANIMAL HAVEN CHARITABLE CORPORATION		SUSPENDED	CA
910.	THE LULU CITY CONDOMINIUM ASSOCIATION, INC.		GOOD STANDING	CO
911.	THE LULU COMPANY, INC.		ACTIVE	AL
912.	THE LULU M. PARR AND DWIGHT S. PARR, JR. FAMILY LIMITED PARTNERSHIP		INACTIVE	OR

913.	THE LULU M. PARR AND VIRGINIA PARR FARMER FAMILY LIMITED AR		INACTIVE	OR
914.	THE LULU MAY LLOYD VON HAGEN FOUNDATION		ACTIVE	CA
915.	THE LULU PROJECT, INC.		DISSOLVED	CA
916.	THE LULU SHOW, LLC		ACTIVE	NC
917.	TREBOR PRODUCTIONS, INC.	MICKELSON MANAGEMENT, INC.	ACTIVE	CA
918.	TUPELO GROWTH, L.P.		ACTIVE	NY
919.	TUPELO OPPORTUNITY, L.P.		ACTIVE	NY
920.	TWO LULUS FASHIONS INC.		INACTIVE	NY
921.	ULYSSES G. AND LULU H. AUGER FOUNDATION (THE)		REVOKED	DC
922.	UNCLE FUZZY & AUNT LULU'S CRAFTS, LLC		AUTOMATED ADMINISTRATIVE	GA
923.	VILLA LULU, LLC		ACTIVE	FL
924.	WAIKIKI LULU'S, LLC		ACTIVE	HI
925.	WELLINGTON'S, LULU		ACTIVE	PA
926.	WHITE, STORYVILLE, NEW ORLEANS INTERNATIONAL, INC., LULU		CHARTER REVOKED BY SECY OF STATE	LA
927.	XON LEASING CORP.	LULU LEASING CORP.	DISSOLVED	CA

35. From the nine hundred twenty-six (926) third-party trade names in the Lulu D&B Report annexed hereto as Exhibit 4 (and summarized above), a total of five hundred eighty-three (583) of the disclosed business entities are reported as being currently active or otherwise in good standing.

Supplemental Evidence and Details of Third-Party Use And Interest in LULU Formative Marks

36. As a supplement to the results disclosed in the Lulu Search Report and the ULU Search Report, I have examined, among other resources: (1) various third-party filings made with the USPTO; (2) various state Division of Corporations databases; (3) yellow page listings; (4) third-party website homepages; (5) online retail websites (such as Amazon.com); and (6) historical

website information from Archive.org (via the “Wayback Machine”). The results of such searches are set forth below in greater detail, organized by way of individual third-party marks.

LULU’S PEEPS

37. The Lulu Search Report discloses an existing federal trademark registration owned by Viacom International, Inc. for the mark **LULU’S PEEPS** (Reg. No. 2,863,527) for “printed matter, namely, note paper and loose leaf paper, series of fiction books” amongst other uses. See Exhibit 1, p. 127.

38. Based on USPTO online records, the mark **LULU’S PEEPS** was first used in commerce on April 1, 2001, and was registered with the USPTO on July 13, 2004, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>. See **Exhibit 6**.

39. Annexed as **Exhibit 11** is a true and correct copy of the Specimen of Use filed by Viacom International, Inc. with the USPTO on April 21, 2004, showing how the mark **LULU’S PEEPS** is being used in commerce.

LULU PRODUCTIONS

40. The Lulu Search Report discloses an existing Hawaiian state trademark registration owned by Cheri Mardon for the mark **LULU PRODUCTIONS** (Hawaiian Reg. No. 249935) for “communication products such as, but not limited to, films, videos, audio, books, clothing, and art.” See Exhibit 1, p. 448.

41. Based on the information provided in the ULU Search Report, the mark **LULU PRODUCTIONS** was registered with the state of Hawaii on July 26, 2000, and renewed on April 19, 2001. Id.

LULU THE LETTER-SPINNING SPIDER

42. The Lulu Search Report discloses an existing federal trademark registration owned by Leapfrog Enterprises, Inc. for the mark **LULU THE LETTER-SPINNING SPIDER** (Reg. No. 3,218,677) for “video and audio cassettes, tapes, CD ROMs and DVDs featuring children's education; children's educational computer software; computer game cartridges,” as well as “printed matter; namely, children's books” and “toys, games, and playthings, namely, plush toys, electronic learning toys.” See Exhibit 1, p. 124.

43. Based on USPTO online records, the mark **LULU THE LETTER-SPINNING SPIDER** was first used in commerce in June 2005. The mark was registered with the USPTO on March 13, 2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 12**.

44. Annexed as **Exhibit 13** is a true and correct copy of the Specimen of Use filed by Leapfrog Enterprises with the USPTO, on October 19, 2006, showing how the mark **LULU THE LETTER-SPINNING SPIDER** is being used in commerce.

45. Annexed as **Exhibit 14** is a true and correct copy of a printout I made on September 26, 2007, from the Amazon.com website, at <http://www.amazon.com/LeapFrog-Lulu-Letter-Spinning-Spider-8482/dp/B0008FUCZ0>, showing Leapfrog's **LULU THE LETTER-SPINNING SPIDER** products currently being offered for sale.

LULU LOLO

46. The Lulu Search Report discloses an existing federal trademark registration owned by Lois Evans for the mark **LULU LOLO** (Reg. No. 2,425,513) for “announcement cards; book marks; books featuring information about movies, mysteries, holidays and fictional characters; greeting cards, note cards, and post cards; greeting cards.” See Exhibit 1, p. 75.

47. Based on USPTO online records, the mark **LULU LOLO** was first used in commerce on November 15, 1998, was registered with the USPTO on January 30, 2001, and such registration was renewed on January 30, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 15**.

48. Annexed as **Exhibit 16** is a true and correct copy of the Specimen of Use filed by Lois Evans with the USPTO on June 29, 2006, showing how the mark **LULU LOLO** is being used in commerce.

49. Annexed as **Exhibit 17** is a true and correct copy of registrant Lois Evans’ home page, located at <http://www.lululolo.com>, showing the designation **LULU LOLO** (which also appears to be a stage name) being used in connection with the captioned “Now Appearing!” [for a play titled *Macaroni and Mal Occhi*].

50. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Lolo’s website has been archived, updated and/or otherwise modified four times since its founding in 2004. A true and correct copy of such historical information obtained on September 22, 2007, from the website www.archive.org is annexed hereto as **Exhibit 18**

THE LITTLE LULU SHOW

51. The Lulu Search Report discloses an existing federal trademark registration owned by Classic Media, Inc., for the mark **THE LITTLE LULU SHOW** (Reg. No. 2,297,686) for “entertainment, namely a continuing animated show distributed over television, satellite and video media.” See Exhibit 1, p. 157.

52. Based on USPTO online records, the mark **THE LITTLE LULU SHOW** was first used in commerce in October 1995, was registered with the USPTO on December 7, 1999, and such registration was renewed on April 25, 2006, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 19**.

53. According to USPTO online records, Classic Media, Inc. also owns the mark **LITTLE LULU** (Reg. No. 0,990,189) as shown by printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 20**.

54. Annexed as **Exhibit 21** is a true and correct copy of the Specimen of Use filed by Classic Media, Inc. with the USPTO on May 29, 2006, showing how the mark **THE LITTLE LULU SHOW** is being used in commerce.

55. Annexed as **Exhibit 22** is a true and correct copy of a printout I made on September 4, 2007 from the Amazon.com website, at http://www.amazon.com/Best-Little-Lulu-Featuring-Green/dp/B00009VU33/ref=pd_rhf_ft_cs_1/002-2959178-9848004?ie=UTF8&qid=1190472771&sr=1-1, showing DVDs for **THE LITTLE LULU SHOW** currently being offered for sale.

LULU BRANDS

56. The Lulu Search Report discloses an existing federal trademark registration owned by Lulu Brands, LLC for the mark **LULU BRANDS** (Reg. No. 2,943,904) for “product development” See Exhibit 1, p. 306.

57. Based on USPTO online records, the mark **LULU BRANDS** was first used in commerce on January 4, 2004, and was registered with the USPTO on April 6, 2004, as shown by a true and correct copy of a printout I made from the USPTO’s “TARR” web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 23**.

58. Annexed as **Exhibit 24** is a true and correct copy of the Specimen of Use filed by Lulu Brands, LLC. with the USPTO on April 6, 2004, showing how the mark **LULU BRANDS** is being used in commerce.

59. Annexed as **Exhibit 25** is a true and correct copy of a printout I made from the Lulu Brands website, at www.lulubrand.com, describing its consumer product development services.

60. Annexed as **Exhibit 26** is a true and correct copy of a printout I made from the Lulu Brands website, at www.lulubrand.com, showing the press coverage from the New York Times on July 23, 2006.

61. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Brands active website has been updated most recently on May 21, 2007. A true and correct copy of such historical information obtained on September 25, 2007 from the website www.archive.org is annexed hereto as **Exhibit 27**.

LULA

62. The Lulu Search Report discloses an existing federal trademark registration owned by Mattel, Inc. for the mark **LULA** (Reg. No. 3,143,053) for “entertainment and educational services, namely, providing online games, product trivia and activities for children” See Exhibit 1, p.89.

63. Based on USPTO online records, the mark **LULA** was first used in commerce on December 17, 2004, and was registered with the USPTO on September 12, 2006, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 28**.

64. Annexed as **Exhibit 29** is a true and correct copy of the Specimen of Use filed by Mattel, Inc. with the USPTO on June 21, 2006, showing how the mark **LULA** is being used in commerce.

65. Annexed as **Exhibit 30** is a true and correct copy of a printout I made on September 26, 2007, from the Toys “R” Us website, at <http://www.toysrus.com/sm-doggie-daycare-lula-and-baby-playset--pi-2302921.html>, showing “Doggie Daycare Lula” dolls currently being offered for sale.

LI LU

66. The Lulu Search Report discloses an existing federal trademark registration owned by C.V. Chen for the mark **LI LU** (Reg. No. 3,059,053) for “printed matters and publications, namely, magazines, books, bulletins, and newsletters in the legal field.” See Exhibit 1, p. 85.

67. Based on USPTO online records, the mark **LI LU** was first used in commerce in January 1996, and was registered with the USPTO on February 14, 2006, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 31**.

68. Annexed as **Exhibit 32** is a true and correct copy of the Specimen of Use filed by C.V. Chen with the USPTO on March 1, 2005, showing how the mark **LI LU** is being used in commerce.

CLOWN AROUND WITH LU-LU

69. The LULU Search report discloses the use of the mark **CLOWN AROUND WITH LU-LU** by a North Carolina proprietorship. See Exhibit 1, p. 633.

70. Annexed as **Exhibit 33** is a true and correct copy of a printout I made on September 23, 2007 from Superpages.com, listing Lu-Lu's clown services and contact information. The website was accessed at:

http://yellowpages.superpages.com/profile~SRC_google~C_Arts+&+Entertainment~LID_QuSsYm30qMzjzoBoLzrDXA%3D%3D.htm.

TINA AND LULU

71. The Lulu Search Report discloses a pending trademark application filed by Lulu, Inc. for the mark **TINA AND LULU** (Serial No. 78-511,568) for, among other goods and services, "entertainment services, namely, providing a website featuring entertainment content for children and families, action, comedy, drama and general interest information via a global computer network." See Exhibit 1, p. 155.

72. The USPTO issued a “Notice of Allowance” on January 3, 2006, for the **TINA AND LULU** trademark application, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 34**.

THE ADVENTURES OF TINTIN AND LULU

73. The Lulu Search Report discloses a pending trademark application filed by Bettina Zikha for the mark **THE ADVENTURES OF TINTIN AND LULU** (Serial No. 77-130,979) for “entertainment in the nature of on-going television programs in the field of travel; on-line journals, namely, blogs featuring travel; entertainment services namely providing a website featuring, photographic, audio, video and prose presentations featuring travel information and presentations.” See Exhibit 1, p. 166.

74. Based on the USPTO online records, the mark **THE ADVENTURES OF TINTIN AND LULU** was published for opposition by the USPTO on July 31, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 35**.

LOULOU

75. The Lulu Search Report discloses a pending trademark application filed by Rogers Publishing Limited for the mark **LOULOU** (Serial No. 78-381,136) for, among other goods and services, “printed publications, namely books, magazines and newsletters all relating to shopping for consumer goods and fashion.” See Exhibit 1, p. 54.

76. The USPTO issued a “Notice of Publication” on August 29, 2007, for the **LOULOU** mark, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 36**.

77. Annexed as **Exhibit 37** is a true and correct copy of LouLou's home page, located at <http://www.louloumagazine.com>, showing the mark **LOULOU** being used in connection with the magazine's online services.

78. Based on online records maintained by the Internet Archive, at www.archive.org, LouLou Magazine's active website has been archived, updated and/or otherwise modified a total of at least 126 times since 2004, with at least 20 updates in 2007 alone, the most recent of which occurred on July 8, 2007. A true and correct copy of such historical information obtained on September 24, 2007 from the website www.archive.org is annexed hereto as **Exhibit 38**.

LAYLOO

79. The Lulu Search Report discloses a pending trademark application filed by Voila Studios, Inc. for the mark **LAYLOO** (Serial No. 78-749,496) for "production of television and radio programs; entertainment services in the nature of on-going television programs in the field of comedy and animation; entertainment services in the nature of on-going television programs, namely, animated interactive television programs for children; providing information via the internet in the fields of games, music, activities, and movies for children; entertainment in the nature of theater productions." See Exhibit 1, p. 309.

80. The USPTO issued a "Notice of Allowance" on May 22, 2007, for the **LAYLOO** trademark application, as shown by a true and correct copy of a printout I made from the USPTO's "TARR" web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 39**.

LULY

81. The Lulu Search Report discloses a pending trademark application filed by Tilibra Produtos de Papelaria Ltda. for the mark **LULY** (Serial No. 77-253,112), for, among

other goods and services, “office materials, namely spiral and bound note books, note books, writing pads, writing books, folders, stickers, packing paper.” See Exhibit 1, p. 322.

82. Annexed as **Exhibit 40** is a true and correct copy of the Specimen of Use filed by Tilibra Produtos de Papelaria, Ltda. with the USPTO on August 11, 2007, showing how the mark **LULY** is being used in commerce.

ULU

83. The Lulu Search Report discloses an existing federal trademark registration owned by Justin Wallace for the mark **ULU** (Reg. No. 2,374,964) for “entertainment, namely, live performances by a musical band.” See Exhibit 1, p. 100.

84. Based on USPTO online records, the mark **ULU** was first used on March 5, 1997, was registered with the USPTO on August 8, 2000, and such registration was renewed on October 13, 2006, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>. See **Exhibit 9**.

85. Annexed as **Exhibit 41** are a true and correct copies of the Specimens of Use filed by Justin Wallace with the USPTO on August 7, 2006, and February 3, 2006, showing how the mark **ULU** is being used in commerce.

86. Annexed as **Exhibit 42** is a true and correct copy of ULU’s website, at <http://www.ulenet>, showing the mark **ULU** being used in connection with a musical group and featuring the sale of albums, downloadable music and other promotional material.

87. Based on online records maintained by the Internet Archive, at www.archive.org, ULU’s website has been archived, updated and/or otherwise modified 74 times since its founding in 1998. The most recent update occurred on July 29, 2007. A true

and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 43**.

88. Annexed as **Exhibit 44** is a true and correct copy of a printout I made on September 24, 2007 from the Barnes and Noble website, at <http://music.barnesandnoble.com/search/product.asp?r=1&ean=710184765922>, showing another website where ULU's CDs are currently being offered for sale.

XULU ENTERTAINMENT

89. The Lulu Search Report discloses an existing federal trademark registration owned by Xulu Entertainment, Inc. for the mark **XULU ENTERTAINMENT** (Reg. No. 2,536,919) for "multi-media and virtual reality software in the fields of accounting; advertising; architecture; animal training; amusement parks; art; design; astrology; audio broadcasting, recording and production; anthropology; bookkeeping; business techniques; bungee jumping; biology; chemistry; computers; computer programming; computer software design; cinematography; cooking; construction; data processing; dentistry; design; economics; education; entertainment; engineering; exploration; excavation; farming; financing; film production, developing and processing; flight simulation; games; geology; gardening; graphic design; health care; history; horticulture; hotel management; industrial design; landscape design; medicine; mathematics; merchandising; mechanics; management; military training; mining; mountain climbing; music; nutrition; optometry; painting; physics; printing; psychology; physical therapy; parachuting; photography; publishing; radio and television broadcasting, programming, production and communication; real estate; racecar driving; skiing; surfing; scuba diving; surgery; sales; statistics; science; software design; sound recordings; sports; surveying; technology; tailoring; telemarketing; tourism; teaching;

travel; video broadcasting; water sports; computer and video game software; computer and video game hardware including wireless headsets, personal digital assistants, computers, input devices, graphic displays, flat panel devices, goggles and electronic glasses, electronic gloves, video cameras, joysticks, electronic whiteboards; global communications network games and downloadable computer game programs.” See Exhibit 1, p. 357.

90. In addition to the **XULU ENTERTAINMENT** mark, Xulu Entertainment, Inc. has registered at least sixteen (16) additional marks with the USPTO, namely:

- **XULU ENTERTAINMENT** (Reg. No. 2,507,344), for “watches, jewelry and pins.”
- **XULU ENTERTAINMENT** (Reg. No. 2,522,934), for “series of books; comic books; magazines in the fields of entertainment, education and electronics.”
- **XULU ENTERTAINMENT** (Reg. No. 2,571,709), for “Clothing, namely, T-shirts, sweatshirts, sweaters, polo shirts, athletic uniforms, jackets, coats, hats, caps, sun visors, shorts, pants, jeans, skirts, dresses, lingerie, underwear, beachwear, bathing suits, rainwear, pajamas, robes, ties, belts, scarves, gloves, mittens, socks, hosiery, shoes, athletic footwear, and costumes and masks sold in connection therewith.”
- **XULU ENTERTAINMENT** (Reg. No. 2,540,733), for “mechanical and electric action toys; plush stuffed animals and toys; dolls; board games; bath toys; musical toys; construction toys; fantasy character toys; inflatable toys; pull toys; talking toys; model vehicles and related accessories sold as units, models, robots, figurines, action figures and accessories therefor, toy vehicles, toy figures, wind-up toys, science kits.”
- **XULU ENTERTAINMENT** (Reg. No. 2,574,012), for “entertainment in the nature of theater productions and movies.”
- **XULU ENTERTAINMENT** (Reg. No. 2,534,397), for “retail services, namely, retail store services, on-line retail services and direct mail retail services, all featuring computer software and hardware; computer games, video games, books, comic books, magazines, toys, decals, stickers, tattoos, backpacks, lunchboxes, bicycles, costumes, masks, works of art, glasses, dishes, serving trays, post cards, posters, watches, pins, jewelry, sunglasses, key chains and clothing.”

- **XULU ADVENTURERS' CLUB** (Reg. No. 2,525,365), for “watches, jewelry and pins, namely, ornamental pins, lapel pins, tie pins and hat pins.”
- **XULU ADVENTURERS' CLUB** (Reg. No. 2,507,326), for “series of books; comic books; magazines in the fields of entertainment, education and electronics.”
- **XULU ADVENTURERS' CLUB** (Reg. No. 2,540,712), for “clothing, namely, T-shirts, sweatshirts, sweaters, polo shirts, athletic uniforms, jackets, coats, hats, caps, sunvisors, shorts, pants, jeans, skirts, dresses, lingerie, underwear, beachwear, bathing suits, rainwear, pajamas, robes, ties, belts, scarves, gloves, mittens, socks, hosiery, shoes, shoelaces, athletic footwear, and costumes and masks sold in connection therewith.”
- **XULU ADVENTURERS' CLUB** (Reg. No. 2,536,910), for “retail services featuring computer software and hardware; computer games, video games, books, comic books, magazines, toys, decals, stickers, tattoos, backpacks, lunchboxes, bicycles, costumes, masks, works of art, glasses, dishes, serving trays, post cards, posters, watches, pins, jewelry, sunglasses, keychains and clothing.”
- **XULU ADVENTURERS' CLUB** (Reg. No. 2,571,701), for “multi-media and virtual reality software in the fields of accounting; advertising; architecture; animal training; amusement parks; art; design; astrology; audio broadcasting, recording and production; anthropology; bookkeeping; business techniques; bungee jumping; biology; chemistry; computers; computer programming; computer software design; cinematography; cooking; construction; data processing; dentistry; design; economics; education; entertainment; engineering; exploration; excavation; farming; financing; film production, developing and processing; flight simulation; games; geology; gardening; graphic design; health care; history; horticulture; hotel management; industrial design; landscape design; medicine; mathematics; merchandising; mechanics; management; military training; mining; mountain climbing; music; nutrition; optometry; painting; physics; printing; psychology; physical therapy; parachuting; photography; publishing; radio and television broadcasting, programming, production and communication; real estate; racecar driving; skiing; surfing; scuba diving; surgery; sales; statistics; science; software design; sound recordings; sports; surveying; technology; tailoring; telemarketing; tourism; teaching; travel; video broadcasting; water sports; computer and video game software; computer and video game hardware including wireless headsets, personal digital assistants, computers, input devices, graphic displays, flat panel devices, goggles and electronic glasses, electronic gloves, video cameras, joysticks, electronic

whiteboards; global communications network games and downloadable computer game programs.”

- **XULU** (Reg. No. 2,522,908), for “series of books; comic books; magazines in the fields of entertainment, education and electronics.”
- **XULU** (Reg. No. 2,588,677), for “mechanical and electric action toys; plush stuffed animals and toys; dolls; board games; bath toys; musical toys; construction toys; fantasy character toys; inflatable toys; pull toys; talking toys; model vehicles and related accessories sold as units, models, robots, figurines, action figures and accessories therefor, toy vehicles, toy figures, wind-up toys, science kits.”
- **XULU** (Reg. No. 2,574,000), for “clothing, namely, T-shirts, sweatshirts, sweaters, polo shirts, athletic uniforms, jackets, coats, hats, caps, sun visors, shorts, pants, jeans, skirts, dresses, lingerie, underwear, beachwear, bathing suits, rainwear, pajamas, robes, ties, belts, scarves, gloves, mittens, socks, hosiery, shoes, athletic footwear, and costumes and masks sold in connection therewith.
- **XULU** (Reg. No. 2,571,697), for “multi-media and virtual reality software in the fields of accounting; advertising; architecture; animal training; amusement parks; art; design; astrology; audio broadcasting, recording and production; anthropology; bookkeeping; business techniques; bungee jumping; biology; chemistry; computers; computer programming; computer software design; cinematography; cooking; construction; data processing; dentistry; design; economics; education; entertainment; engineering; exploration; excavation; farming; financing; film production, developing and processing; flight simulation; games; geology; gardening; graphic design; health care; history; horticulture; hotel management; industrial design; landscape design; medicine; mathematics; merchandising; mechanics; management; military training; mining; mountain climbing; music; nutrition; optometry; painting; physics; printing; psychology; physical therapy; parachuting; photography; publishing; radio and television broadcasting, programming, production and communication; real estate; racecar driving; skiing; surfing; scuba diving; surgery; sales; statistics; science; software design; sound recordings; sports; surveying; technology; tailoring; telemarketing; tourism; teaching; travel; video broadcasting; water sports; computer and video game software; computer and video game hardware including wireless headsets, personal digital assistants, computers, input devices, graphic displays, flat panel devices, goggles and electronic glasses, electronic gloves, video cameras, joysticks, electronic whiteboards; global communications network games and downloadable computer game programs.”

- **XULU** (Reg. No. 2,536,906), for “restaurant services”; and “retail services featuring computer software and hardware; computer games, video games, books, comic books, magazines, toys, decals, stickers, tattoos, backpacks, lunchboxes, bicycles, costumes, masks, works of art, glasses, dishes, serving trays, post cards, posters, watches, pins, jewelry, sunglasses, keychains and clothing.”

See Exhibit 1, pp. _____.

91. Based on USPTO online records, the sixteen **XULU** marks, listed above, were registered between November 13, 2001 and July 2, 2002, and the earliest **XULU** mark was first used in commerce on August 13, 2001, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 45**.

92. Based on online records maintained by the Internet Archive, at www.archive.org, Xulu’s website at <http://www.xulu.com> has been archived, updated and/or otherwise modified a total of at least 77 times since 1998, with two updates in 2007, the most recent of which occurred on July 5, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 46**.

ZULU

93. The Lulu Search Report discloses an existing federal trademark registration owned by Zulu Social Aid and Pleasure Club, Inc. for the mark **ZULU** (Reg. No. 2,731,850) for “entertainment services in the nature of live performances, namely carnival parades.” See Exhibit 1, p.102.

94. Based on USPTO online records, the mark **ZULU** was registered with the USPTO on August 12, 2002, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 47**.

95. Based on USPTO online records, Zulu Social Aid and Pleasure Club registered an additional **ZULU** mark (Reg. No. 2,719,314) for a “social club” with the USPTO on May 27, 2003, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 48**.

96. Annexed as **Exhibit 49** is a true and correct copy of Zulu Social Aid and Pleasure Club’s home page, located at <http://www.mardigrasneworleans.com/zulu>, showing the mark **ZULU** being used in connection with the organization and online retail store services featuring posters and books.

97. Based on online records maintained by the Internet Archive, at www.archive.org, Zulu Pleasure Club’s active website has been archived, updated and/or otherwise modified a total of at least 59 times since 1998, with at least three updates in 2007, the most recent of which occurred on June 18, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 50**.

RULU

98. The Lulu Search Report discloses an existing federal trademark registration owned by USA 111, Inc. for the mark **RULU** (Reg. No. 3,287,664) for “digital audio players, downloadable MP3 files, MP3 recordings, online discussion boards, web casts, [and] pod casts,” among other things. See Exhibit 1, p. 106.

99. Based on USPTO online records, the mark **RULU** was first used in commerce on October 1, 2006, and was registered with the USPTO on September 4, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 51**.

100. Annexed as **Exhibit 52** is a true and correct copy of the Specimen of Use filed by USA 111, Inc. with the USPTO on November 28, 2006, showing how the mark **RULU** is being used in commerce.

101. Annexed as **Exhibit 53** is a true and correct copy of a printout I made from the Amazon.com website, accessed at <http://www.amazon.com/s?ie=UTF8&search-alias=electronics&field-brandtextbin=Rulu&page=1>, on September 22, 2007, showing Rulu's electronics currently being offered for sale.

ZULUTV

102. The ULU Search Report discloses a Puerto Rican trademark registration owned by Zulu Broadcasting, Inc. for the mark **ZULUTV** (Puerto Rican Reg. No. 42260) for “multimedia broadcasting services over the global information network relating to videos, interactive games and cultural information.” See Exhibit 2, p. 819.

103. Based on the information provided in the ULU Search Report, the mark **ZULUTV** was registered with the territory of Puerto Rico on December 31, 1999. Id.

ZULULOG

104. The Lulu Search Report discloses a pending trademark application filed by Zululog LLC for **ZULULOG** (Serial No. 77-074,566) for “providing online non-downloadable software for the entry, secure storage, retrieval, and reporting of aviation-related records and data.” See Exhibit 2, p. 524.

105. Based on USPTO online records, the mark **ZULULOG** was first used in commerce on April 16, 2006, and was published for opposition with the USPTO on July 31, 2007, as shown by a true and correct copy of a printout I made from the USPTO's “TARR” web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 54**.

106. Annexed as **Exhibit 55** is a true and correct copy of Zululog's home page, located at <https://www.zululog.com/>, showing the mark **ZULULOG** actively being used in connection with online subscription services for aviation logging.

XOOLOO

107. The Lulu Search Report discloses an abandoned federal trademark application filed by Xooloo, a French joint stock company, for the mark **XOOLOO** (Serial No. 76-088,813) for many uses, including the "provision of customized content featuring information about education and entertainment for young people for use on the web sites of others; creation, publication, development of television channels including interactive television and radio stations for entertaining and educating young people" and the "designing [of] computer networks, software and hardware." See Exhibit 1, p. 381.

108. Although the USPTO website shows that the **XOOLOO** application as currently abandoned, the applicant Xooloo's website, www.xooloo.net, remains fully operational (in French), annexed hereto as **Exhibit 56**.

109. Based on online records maintained by the Internet Archive, at www.archive.org, Xooloo's active website, www.xooloo.net, has been archived, updated and/or otherwise modified a total of at least 96 times since 2001, with at least 17 updates in 2007 alone, the most recent of which occurred on July 12, 2007. A true and correct copy of such historical information obtained on September 24, 2007 from the website www.archive.org is annexed hereto as **Exhibit 57**.

LULU'S and LULU'S FASHION LOUNGE

110. The Lulu Search Report discloses four existing California state trademark registrations owned by Colleen L. Cannon and Debra A. Cannon for the marks **LULU'S**

(California State Reg. Nos. 59260 and 110233) and **LULU'S FASHION LOUNGE** (California State Reg. Nos. 59361 and 110232) for "retail clothing stores" and "clothing, namely, shirts, belts, pants, underwear, sleepwear." See Exhibit 1, pp. 436, 438, 449, and 453.

111. Based on the information provided in the Lulu Search Report, the marks **LULU'S** and **LULU'S FASHION LOUNGE** were first used in commerce on August 31, 1996, and the marks were registered with the State of California for "retail clothing stores" on June 1, 2004, and for "clothing, namely, shirts, belts, pants, underwear, sleepwear" on July 19, 2004.

112. Annexed as **Exhibit 58** is a true and correct copy of Lulu Fashion Lounge's home page, located at <http://www.lulusfashionlounge.com>, showing the marks **LULU'S** and **LULU'S FASHION LOUNGE** being used in connection with online retail store services featuring women's clothing.

113. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Fashion Lounge's active website has been archived, updated and/or otherwise modified a total of at least 92 times since 2004, with at least 23 modifications in 2007 alone, the most recent of which occurred on August 14, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 59**.

114. Annexed as **Exhibit 60** is a true and correct copy of a printout I made on September 24, 2007, from the "Dog's Breakfast Blog," available at www.norcalblogs.com/dog, showing a nomination for Colleen and Debra Cannon as greater downtown local heroes for "locating three of Chico's coolest stores, Lulu's, Gigi's and Trucker, downtown. They seem to know what works."

LULU'S

115. The Lulu Search Report discloses two existing Virginia state trademark registrations owned by Lulu's Hot Dogs, Inc. for the mark **LULU'S** for "homemade hot dog, chili, soup, and hamburgers" and "general restaurant services which include the sale of hotdogs, hamburgers, BBQ's, soup and sausages." See Exhibit 1, pp. 471 and 473.

116. Based on information provided in the Lulu Search Report, the mark **LULU'S** was first used in commerce on January 1, 1980, and was registered with the State of Virginia on June 5, 2003. Id.

117. Annexed as **Exhibit 61** is a true and correct copy of a printout I made from the Ultimate Restaurant Database, available at <http://www.restaurantdb.net/go/restaurants/view-313871.html>, listing Lulu's Hot Dogs in Virginia Beach, Virginia.

LU+LU

118. The Lulu Search Report discloses an existing federal trademark registration owned by Fu Kong, Inc. for the mark **LU+LU** (Reg. No. 2,434.055) for "clothing for women, namely sweaters, and knitwear, namely, skirts, vests, tops, pants, shirts, jackets and suits." See Exhibit 1 p. 58.

119. Based on USPTO online records, the mark **LU+LU** was first used in commerce in March 1999 and was registered with the USPTO on March 6, 2001, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 62**.

120. Annexed as **Exhibit 63** is a true and correct copy of the Specimen of Use filed by Fu Kong, Inc. with the USPTO on November 20, 2006, showing how the mark **LU+LU** is being used in commerce.

LULU COMPANY

121. The ULU Search Report discloses a pending federal trademark registration filed by The Lulu Company, Inc. for the mark **LULU COMPANY** (Serial No. 78-695,569) for “retail shops featuring infant, toddler, and children’s clothing, decorative items, jewelry, photo albums, hair bows and other child accessories.” See Exhibit 2, p. 179.

122. Based on USPTO online records, the mark **LULU COMPANY** was first used in commerce on January 29, 2005 and was approved for publication on the principle register of the USPTO on August 26, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 64**.

123. Annexed as **Exhibit 65** is a true and correct copy of The Lulu Company’s home page, located at <http://www.thelulucompany.com>, showing the mark **LULU COMPANY** being used in connection with retail store services in Huntsville, Alabama featuring children’s clothing.

124. Annexed as **Exhibit 66** is a true and correct copy of the Specimen of Use filed by The Lulu Company, Inc. with the USPTO on April 19, 2006, showing how the mark **LULU COMPANY** is being used in commerce.

LULU RESTAURANT

125. The ULU Search Report discloses an existing federal trademark registration owned by Restaurant Lulu, Inc. for the mark **LULU RESTAURANT** (Reg. No. 1,956,382) for “restaurants.” See Exhibit 2, p. 204.

126. Based on USPTO online records, the mark **LULU RESTAURANT** was first used in commerce on January 1, 1993, was registered with the USPTO on March 30, 1995, and such registration was renewed on March 15, 2006, as shown by a true and correct copy of

a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 67**.

127. Annexed as **Exhibit 68** is a true and correct copy of Lulu Restaurant's home page, located at <http://www.restaurantlulu.com>, showing the mark **LULU RESTAURANT** being used in connection with restaurant services.

128. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Restaurant's active website has been archived, updated and/or otherwise modified a total of at least 253 times since 1999, with at least 18 modifications in 2007 alone, the most recent of which occurred on July 2, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 69**.

129. Annexed as **Exhibit 70** are true and correct copies of the Specimens of Use filed by Restaurant Lulu, Inc. with the USPTO on August 20, 2001, and October 25, 2005, showing how the mark **LULU RESTAURANT** is being used in commerce.

LULU'S! RESTAURANT & COCKTAILS

130. The ULU Search Report discloses an existing Indiana state trademark registration owned by Aes Entertainment Group, LLC for the mark **LULU'S! RESTAURANT & COCKTAILS** (Indiana State Reg. No. 20050051) for "restaurant & bar, which shall include dining and the sale of liquor; advertising and business." See Exhibit 2, p. 748.

131. Based on information provided in the ULU Search Report, the mark **LULU'S! RESTAURANT & COCKTAILS** was first used in commerce on January 1, 1997, and was registered with the State of Indiana on January 21, 2005. Id.

132. Annexed as **Exhibit 71** is a true and correct copy of Lulu's Restaurant & Cocktails' home page, located at <http://www.lulusindy.com>, showing the mark **LULU'S! RESTAURANT & COCKTAILS** being used in connection with restaurant services.

133. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu's Restaurant & Cocktails's active website has been archived, updated and/or otherwise modified a total of at least 66 times since 2001, with at least three modifications in 2007, the most recent of which occurred on July 5, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 72**

LULU DK

134. The Lulu Search Report discloses an existing federal trademark registration owned by Lulu DK LLC for the mark **LULU DK** (Reg. No. 2,804,760) for "interior design and decorative consultation; interior decorating and design service; textiles design services for wall covering, upholstery, table and bed linens, wearing apparel, bags and fabrics; wall coverings, upholstery, wearing apparel, bag and fabric design services; consultation in connection therewith." See Exhibit 1, p. 220.

135. Based on USPTO online records, the mark **LULU DK** was first used in commerce on March 1, 1996, and was registered with the USPTO on January 13, 2004, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 73**.

136. Annexed as **Exhibit 74** are true and correct copies of the Specimens of Use filed by Lulu DK LLC with the USPTO on August 15, 2002, showing how the mark **LULU DK** is being used in commerce.

137. Annexed as **Exhibit 75** is a true and correct copy of Lulu DK's home page, located at <http://www.luludk.com>, showing the mark **LULU DK** being used in connection with a textile design company and including at least six recent articles in major fashion magazines including *Elle Décor* and *House & Garden* that feature the company's designs.

138. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu DK's active website has been archived, updated and/or otherwise modified a total of at least 89 times since 2001, with at least 14 modifications in 2007 alone, the most recent of which occurred on July 4, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 76**.

LULU-B

139. The Lulu Search Report discloses a pending federal trademark registration filed by Ashwood, Inc. for the mark **LULU-B** (Serial No. 77-036,614) for "clothing made in whole, namely, blouse, tops, pants, shorts, rompers, jumpers, jumpsuits, dresses and shirts." See Exhibit 1, p. 237.

140. Based on USPTO online records, the mark **LULU-B** was first used in commerce on December 1, 2006, and the application was filed with the USPTO on November 3, 2006, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 77**.

141. Annexed as **Exhibit 78** is a true and correct copy of Lulu-B's home page, located at <http://www.lulu-b.com>, showing the mark **LULU-B** being used in connection with clothing sold at trade shows in 2007 and 2008.

142. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu-B's website was created January 2, 2007, and updated July 5, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 79**.

143. Annexed as **Exhibit 80** is a true and correct copy of the Specimen of Use filed by Ashwood, Inc. with the USPTO on November 3, 2006, showing how the mark **LULU-B** is being used in commerce.

LULU PINK

144. The Lulu Search Report discloses an existing California state trademark registration (California State Reg. No. 111283) and a pending federal trademark registration (Serial No. 78-900,552) owned by Karen Johnson for the mark **LULU PINK** for "pet clothing," and "leather goods, namely, dog clothing," respectively. See Exhibit 1, pp. 231 and 464.

145. Based on USPTO online records, the mark **LULU PINK** was first used in commerce on February 2, 2005, and the application was filed with the USPTO on June 5, 2006, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 81**.

146. Annexed as **Exhibit 82** is a true and correct copy of Lulu Pink's home page, located at <http://www.lulupink.com>, showing the mark **LULU PINK** being used in connection with online retail store services featuring dog clothing.

147. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Pink's active website has been archived, updated and/or otherwise modified a total of at least 24 times since 2004, with at least 13 modifications in 2007 alone,

the most recent of which occurred on June 29, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 83**.

148. Annexed as **Exhibit 84** is a true and correct copy of the Specimen of Use filed by Karen Johnson with the USPTO on June 5, 2006, showing how the mark **LULU PINK** is being used in commerce.

LULU BELLE BOUTIQUE

149. The ULU Search Report discloses a pending federal trademark registration filed by Lisa M. Engstrom for the mark **LULU BELLE BOUTIQUE** (Serial No. 78-804,513) for “women’s clothing, namely t-shirts, jeans, sweatshirts, sweatpants, bathing suits, sleepwear, undergarments, jackets, coats, dresses, skirts, shorts, pants, suits, sweaters, blouses, dress shirts, neckbands, wristbands, headbands, belts, hats, caps, shoes and stockings” and “retail clothing store services.” See Exhibit 2, p. 167.

150. Based on USPTO online records, the mark **LULU BELLE BOUTIQUE** was first used in commerce on November 1, 2005, and was published for opposition on July 24, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 85**.

151. Annexed as **Exhibit 86** is a true and correct copy of Lulu Belle Boutique’s home page, located at <http://www.lulubelleboutique.com>, showing the mark **LULU BELLE BOUTIQUE** being used in connection with online retail store services featuring women’s clothing.

152. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Belle Boutique’s active website has been archived, updated and/or

otherwise modified a total of at least 47 times since 2006, with at least 11 modifications in 2007 alone, the most recent of which occurred on June 29, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 87**.

153. Annexed as **Exhibit 88** is a true and correct copy of the Specimen of Use filed by Lisa M. Engstrom with the USPTO on February 1, 2006, showing how the mark **LULU BELLE BOUTIQUE** is being used in commerce.

LU-LU's CLOSET

154. The Lulu Search Report discloses a pending federal trademark registration filed by Philhobar Design Canada Ltd. for the mark **LU-LU'S CLOSET** (Serial No. 78-601,477) for "ladies' and girls' clothing, namely, t-shirts, polo shirts, sweaters, shirts, blouses, pants, overalls, shorts, skirts, coats, jackets, vests, turtlenecks; active wear, namely, shorts, sweatpants, sweat shirts, undergarments, sleepwear, robes." See Exhibit 1, p. 210.

155. Based on USPTO online records, the mark **LU-LU'S CLOSET** was first used in commerce in 2005 and was cleared for registration with the USPTO on July 19, 2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 89**.

156. Annexed as **Exhibit 90** is a true and correct copy of the Specimen of Use filed by Philhobar Design Canada Ltd. with the USPTO on March 21, 2007, showing how the mark **LU-LU'S CLOSET** is being used in commerce.

LULU BRAVO

157. The Lulu Search Report discloses an existing federal trademark registration owned by Daffy's, Inc., for the mark **LULU BRAVO** (Reg. No. 1,710,150) for "women's

apparel, namely, suits, jackets, coats, pants, skirts, shirts, blouses, and sweaters.” See Exhibit 1, p. 224.

158. Based on USPTO online records, the mark **LULU BRAVO** was first used in commerce on January 2, 1987, was registered with the USPTO on August 25, 1992, and such registration was renewed on May 16, 2002, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 91**.

159. Annexed as **Exhibit 92** is an article from the *Westchester Magazine* titled “Cheap Thrills, Great Deals, and Outright Steals,” available at <http://www.westchestermagazine.com/ME2/Audiences/dirmod.asp?sid=B5549CFD24E64BAC93E11938AD51A18C&nm=&type=Publishing&mod=Publications%3A%3AArticle&mid=8F3A7027421841978F18BE895F87F791&tier=4&id=23F79057814247789DB9BD79EE6AC2C7&AudID=Bridal>, posted June 14, 2007, describing for sale “a LuLu Bravo cashmere sweater for \$79, retail \$198” at Daffy’s retail store in White Plains, NY.

LULU’S BAIT SHACK

160. The Lulu Search Report discloses an existing federal trademark registration owned by Jeff Levine for the mark **LULU’S BAIT SHACK** (Reg. No. 1,949,959) for “drinking glass holders,” “men’s and ladies’ t-shirts, hats, baseball jerseys, golf shirts, and boxer shorts,” and “restaurant services.” See Exhibit 1, p. 211.

161. Based on USPTO online records, the mark **LULU’S BAIT SHACK** was first used in commerce on April 1, 1993, and was registered with the USPTO on January 23, 1996, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 93**.

162. Annexed as **Exhibit 94** is a true and correct copy of LuLu's Bait Shack's home page, located at <http://www.lulusbaitshack.com>, showing the mark **LULU'S BAIT SHACK** being used in connection with restaurant services.

163. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu's Bait Shack's active website has been archived, updated and/or otherwise modified a total of at least 74 times since 2001, with at least five modifications in 2007, the most recent of which occurred on July 5, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 95**.

164. Annexed as **Exhibit 96** are true and correct copies of the Specimens of Use filed by Jeff Levine with the USPTO on January 19, 2002, showing how the mark **LULU'S BAIT SHACK** is being used in commerce.

LULU'S RED HOTS

165. The Lulu Search Report discloses an existing federal trademark registration owned by Weinerwerks, L.L.C. for the mark **LULU'S RED HOTS** (Reg. No. 3,091,018) for "clothing, namely shirts and hats," and "restaurant services." See Exhibit 1, p. 213.

166. Based on USPTO online records, the mark **LULU'S RED HOTS** was first used in commerce on December 1, 2004, and was registered with the USPTO on May 9, 2006, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 97**.

167. Annexed as **Exhibit 98** are true and correct copies of the Specimens of Use filed by Weinerwerks, L.L.C. with the USPTO on March 6, 2006, showing how the mark **LULU'S RED HOTS** is being used in commerce.

LULU'S NEW ORLEANS CAFÉ / LULU'S CLUB MARDI GRAS

168. The ULU Search Report discloses existing federal trademark registrations owned by Blackie's House of Beef, Inc. for the marks **LULU'S NEW ORLEANS CAFE** (Reg. No. 1,738,396) and **LULU'S CLUB MARDI GRAS** for "restaurant and cocktail lounge services." See Exhibit 2, pp. 212 and 208.

169. Based on USPTO online records, the mark **LULU'S NEW ORLEANS CAFÉ** was first used in commerce on October 18, 1991, was registered with the USPTO on December 8, 1992, and such registration was renewed on March 15, 2003, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 99**.

170. Based on USPTO online records, the mark **LULU'S CLUB MARDI GRAS** was first used in commerce on December 31, 1998, and was registered with the USPTO on October 7, 2003, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 100**.

171. Annexed as **Exhibit 101** is a true and correct copy of the Specimen of Use filed by Blackie's House of Beef, Inc. with the USPTO on December 18, 2002, showing how the mark **LULU'S CLUB MARDI GRAS** is being used in commerce.

LULU KING'S

172. The ULU Search Report discloses a pending federal trademark registration filed by King's Seafood Company, LLC for the mark **LULU KING'S** (Serial No. 78-916,097) for "restaurant services." See Exhibit 2, p. 210.

173. Based on USPTO online records, the mark **LULU KING'S** was first used in commerce in February 2006 and a non-final action was mailed by the USPTO on June 25,

2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 102**.

174. Annexed as **Exhibit 103** are true and correct copies of the Specimens of Use filed by King's Seafood Company, LLC with the USPTO on June 23, 2006, showing how the mark **LULU KING'S** is being used in commerce.

LULU THERAPY ON A LEASH, INC.

175. The ULU Search Report discloses an existing federal trademark registration owned by Therapy on a Leash, Inc. for the mark **LULU THERAPY ON A LEASH, INC.** (Reg. No. 2,517,778) for "animal-assisted therapy training manuals and reference books, stickers, stationary, calendars, cards, photographs, pencils and pens"; "mugs and glasses"; "clothing items, namely, hats, shirts, jackets, shorts and pants"; and "educational services, namely conducting classes, seminars, lectures, demonstrations, and multimedia presentation in the field of the use of animals for purposes of providing therapy to human beings; training animals for purposes of providing therapy to human beings." See Exhibit 2, p. 125.

176. Based on USPTO online records, the mark **LULU THERAPY ON A LEASH, INC.** was first used in commerce on June 15, 2001, and was registered with the USPTO on December 11, 2001, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 104**.

177. Annexed as **Exhibit 105** is a true and correct copy of Lulu Therapy on a Leash's home page, located at <http://www.therapyonaleash.com>, describing the origin of the mark and its use in connection with therapy dog services for "the last decade."

178. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Therapy on a Leash's active website has been archived, updated and/or otherwise modified

a total of at least 48 times since 1999, the most recent of which occurred on February 9, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 106**.

LU

179. The Lulu Search Report discloses an existing federal trademark registration owned by Lolita S.A. for the mark **LU** (Reg. No. 3,101,153) for “clothing, namely, bandanas, neckerchiefs, bathing suits, belts, berets, bodices, lingerie, camisoles, coats, gabardines, gloves, gowns, dressing gowns, hats, hosiery, jackets, blazers, shorts, jerseys, overcoats, pajamas, pant, panties, parkas, petticoats, pullovers, shirts, skirts, spats, stockings, suits, bathing suits, sweaters, swimsuits, trousers, underclothing, underpants, underwear, uniforms, vests, waterproof clothing”; and “retail store services, featuring clothing and clothing accessories.” See Exhibit 1, p. 116.

180. Based on USPTO online records, the mark **LU** was first used in commerce on January 10, 2005, and was registered with the USPTO on June 6, 2006, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 107**.

181. Annexed as **Exhibit 108** is a true and correct copy of Lolita S.A.’s home page, located at <http://www.lolitavirtual.com>, showing the mark **LU** being used in connection with retail store services, including one opening in Puerto Rico.

182. Based on online records maintained by the Internet Archive, at www.archive.org, Lolita S.A.’s active website has been archived, updated and/or otherwise modified a total of at least 78 times since 2000, with at least six modifications in 2007 alone, the most recent of which occurred on June 23, 2007. A true and correct copy of such

historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 109**.

BABY LULU

183. The ULU Search Report discloses an existing federal trademark registration owned by Erin L. Murphy for the mark **BABY LULU** (Reg. No. 2,989,873) for “pillows”; “bedding, namely, crib bumpers, quilts, blankets, duvet covers, crib skirts, sheets, pillow cases, bed skirts and shams”; and “clothing, namely socks and pajamas.” See Exhibit 2, p. 93.

184. Based on USPTO online records, the mark **BABY LULU** was first used in commerce on December 8, 2000, and was registered with the USPTO on August 30, 2005, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 110**.

185. Annexed as **Exhibit 111** is a true and correct copy of Baby Lulu’s home page, located at <http://www.babylulu.com>, showing the mark **BABY LULU** being used in connection with online retail store services featuring infant and children’s clothing, including a link to the Fall 2007 catalogue.

186. Based on online records maintained by the Internet Archive, at www.archive.org, Baby Lulu’s active website has been archived, updated and/or otherwise modified a total of at least 235 times since 1999, with at least 19 modifications in 2007 alone, the most recent of which occurred on July 12, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 112**.

GOOD NIGHT LULU

187. The Lulu Search Report discloses a pending trademark registration filed by Erin Murphy for the mark **GOOD NIGHT LULU** (Serial No. 78-726,088) for “clothing, namely, overall, pants, shorts, shirts, t-shirts, vests, hats, dresses, bloomers, panties, headbands, shoes, socks and pajamas in international class 25.” See Exhibit 1, p. 282.

188. Based on USPTO online records, the mark **GOOD NIGHT LULU** was first used in commerce on January 30, 2001, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 113**.

189. Annexed as **Exhibit 114** is a true and correct copy of One of a Kind Kid’s website, located at <http://www.oneofakindkid.com>, showing **GOOD NIGHT LULU** clothing currently being offered for sale.

190. Annexed as **Exhibit 115** is a true and correct copy of the Specimen of Use filed by Erin Murphy with the USPTO on October 4, 2005, showing how the mark **GOOD NIGHT LULU** is being used in commerce.

LULU CASTAGNETTE

191. The ULU Search Report discloses an existing federal trademark registration owned by Ivresse for the mark **LULU CASTAGNETTE** (Reg. No. 2,726,302) for “clothing, namely coats, jackets, trousers, shirts, t-shirts, cardigans, sweaters, dresses, skirts, jeans, bermudas, overalls, blouses, polos, shoes and hats.” See Exhibit 2, p. 151.

192. Based on USPTO online records, the mark **LULU CASTAGNETTE** was registered with the USPTO on June 17, 2003, as shown by a true and correct copy of a

printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 116**.

193. Annexed as **Exhibit 117** is a true and correct copy of Lulu Castagnette's home page, located at <http://www.lulucastagnette.com>, showing the mark **LULU CASTAGNETTE** being used in connection with online retail store services featuring women's clothing and accessories, including the Spring/Summer 2007 collection.

194. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Castagnette's active website has been archived, updated and/or otherwise modified a total of at least 119 times since 1999, with at least 15 modifications in 2007 alone, the most recent of which occurred on July 6, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 118**.

LULU GUINNESS

195. The ULU Search Report discloses an existing federal trademark registration owned by Lulu Guinness, Ltd. for the mark **LULU GUINNESS** (Reg. No. 3,038,669) for six classes of goods including "[p]erfumes, colognes, eau de toilette, aftershave lotions, aftershave gels, skin soap, talcum powder, bubble bath, bath gel, shower gel, body scrub, antiperspirants and deodorants, nonmedicated skin care preparations, namely, bath and body oils, skin creams, skin lotions and skin gels, cosmetics, hair care preparations, nail care preparations, sun care lotions, sun block, suntanning preparations, aromatherapy creams, lotions and oils, essential oils for personal use, incense, pomades for the lips and hair, potpourri"; "tablewear namely, knives, forks and spoons"; "leather and leather sold in bulk, handbags, shoulder bags, wallets, business card cases, credit card cases, calling card cases,

purses, luggage, briefcase-type portfolios, luggage trunks and traveling bags, suitcases, tote bags, valises, vanity cases sold empty, briefcases, document bags and cases, attaché cases, key cases, leather key fobs, cases for toiletry or cosmetic articles sold empty”; “photograph frames, picture frames, furniture mirrors, handheld mirrors, plaques, jewelry boxes not of metal, cushions, fitted fabric furniture cushion covers”; “dinnerware, dishes, figurines, sculptures, statues and ornaments not including Christmas-tree ornaments, made of china, crystal, earthenware, glass, porcelain or terra-cotta, decorative boxes not made of metal, serving ware for serving food, household utensils, namely, whisks, turners, kitchen ladles, mixing spoons, basting spoons, basting brushes, slotted spoons, bottle openers, corkscrews, spoon rests, pot cleaning brushes, tea caddies, pot and pan scrapers, rolling pins, vegetable mashers and spatulas, containers for household or kitchen use not of precious metal, vases, candlesticks and candle holders not of precious metal, hair brushes and hair combs”; and “clothing, namely dress shirts, suits, jogging suits, pants, shorts, rain wear, skirts, blouses, dresses, suspenders, sweaters, jackets, coats, ties, robes, scarves, swim wear, underclothes, underwear, underpants, bras, corsets, camisoles and petticoats, nightwear, namely nightgowns, night shirts, pajamas, nightdresses and negligees, footwear, hosiery, socks, swim wear, head wear, belts.” See Exhibit 2, p. 91.

196. Based on USPTO online records, the mark **LULU GUINNESS** was registered with the USPTO on January 10, 2006, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 119**.

197. Annexed as **Exhibit 120** is a true and correct copy of Lulu Guinness’s home page, located at <http://www.luluguinness.com>, showing the mark **LULU GUINNESS** being

used in connection with online retail store services featuring designer handbags and jewelry, including a new Autumn/Winter 2007 collection, and describing trade shows in which Lulu Guinness products will be sold in August and September 2007.

198. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Guinness's active website has been archived, updated and/or otherwise modified a total of at least 224 times since 2000, with at least 22 modifications in 2007 alone, the most recent of which occurred on June 14, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 121**.

LUCY BUFFETT'S LULU'S

199. The ULU Search Report discloses an existing federal trademark registration owned by Lulu's Landing, Inc. for the mark **LUCY BUFFETT'S LULU'S** (Reg. No. 3,055,016) for "retail store services featuring a wide array of merchandise in the nature of novelty items, souvenirs, clothing, headwear, books, beverageware, and printed materials, and online retail store services featuring a wide array of merchandise in the nature of novelty items, souvenirs, clothing, headwear, books, beverageware, and printed materials." See Exhibit 2, p. 183.

200. Based on USPTO online records, the mark **LUCY BUFFETT'S LULU'S** was first used in commerce on November 1, 2004, and was registered with the USPTO on January 31, 2006, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 122**.

201. Annexed as **Exhibit 123** is a true and correct copy of Lucy Buffett's Lulu's home page, located at <http://www.lulusathomeport.com>, showing the mark **LUCY**

BUFFETT'S LULU'S being used in connection with online retail store services for clothing in connection with restaurant services.

202. Based on online records maintained by the Internet Archive, at www.archive.org, Lucy Buffett's Lulu's active website has been archived, updated and/or otherwise modified a total of at least 19 times since 2005, with at least four modifications in 2007, the most recent of which occurred on July 13, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 124**.

203. Annexed as **Exhibit 125** are true and correct copies of the Specimens of Use filed by Lulu's Landing, Inc. with the USPTO on February 10, 2005, showing how the mark **LUCY BUFFETT'S LULU'S** is being used in commerce.

SADIE & LULU

204. The Lulu Search Report discloses a pending federal trademark registration filed by 518 Apparel Group, Inc., for the mark **SADIE & LULU** (Serial No. 78-948,368) for "lingerie." See Exhibit 1, p. 294.

205. Based on USPTO online records, the mark **SADIE & LULU** was first used in commerce on August 8, 2006, and the USPTO issued a "Notice of Publication" on November 19, 2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 126**.

206. Annexed as **Exhibit 127** are true and correct copies of the Specimens of Use filed by 518 Apparel Group, Inc. with the USPTO on August 9, 2006, showing how the mark **SADIE & LULU** is being used in commerce.

AME & LULU

207. The Lulu Search Report discloses a pending federal trademark registration filed by Ame & LuLu, LLC for the mark **AME & LULU** (Serial No. 77-064,598) for “all purpose sports bags, all purpose carrying bags, duffel bags, cosmetic bags sold empty, and general purpose bags for carrying yoga equipment”; “key chains not of metal”; clothing, namely tops, t-shirts, sweatshirts, fabric belts, headwear, and visors”; and “tennis racket covers and golf head covers.” See Exhibit 1 p. 284.

208. Based on USPTO online records, the mark **AME & LULU** was first used in commerce on April 30, 2003, and was published for opposition on August 7, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 128**.

209. Annexed as **Exhibit 129** is a true and correct copy of Ame & Lulu’s home page, located at <http://www.ameandlulu.com>, showing the mark **AME & LULU** being used in connection with online retail store services featuring golf, tennis, yoga and everyday apparel and accessories.

210. Based on online records maintained by the Internet Archive, at www.archive.org, Ame & Lulu’s active website has been archived, updated and/or otherwise modified a total of at least 88 times since 2002, with at least 16 modifications in 2007 alone, the most recent of which occurred on July 3, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 130**.

LULU & LUIGI

211. The ULU Search Report discloses an existing federal trademark registration owned by Lulu & Luigi, LLC for the mark **LULU & LUIGI** (Reg. No. 3,167,194) for “pet carriers and leashes; pet clothing.” See Exhibit 2, p. 132.

212. Based on USPTO online records, the mark **LULU & LUIGI** was first used in commerce in June 2003 and was registered with the USPTO on November 7, 2006, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 131**.

213. Annexed as **Exhibit 132** is a true and correct copy of Lulu & Luigi’s home page, located at <http://www.luluandluigi.com>, showing the mark **LULU & LUIGI** being used in connection with online retail store services featuring clothing and accessories for pets.

214. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu & Luigi’s active website has been archived, updated and/or otherwise modified a total of at least 90 times since 1999, with at least 32 modifications in 2007 alone, the most recent of which occurred on June 20, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 133**.

TRIXIE + LULU

215. The ULU Search Report discloses an existing federal trademark registration owned by Ben Elias Industries Corp. for the mark **TRIXIE + LULU** (Reg. No. 3,197,323) for “clothing, namely jeans, denim jeans, overalls, coveralls, jumpers, jump suits, trousers, slacks, pants, cycle pants, shorts, boxer shorts, shirts, t-shirts, under shirts, night shirts, etc.” See Exhibit 2, p. 160.

216. Based on USPTO online records, the mark **TRIXIE + LULU** was first used in commerce on February 1, 2006, and was registered with the USPTO on January 9, 2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 134**.

217. Annexed as **Exhibit 135** is a true and correct copy of the Specimen of Use filed by Ben Elias Industries Corp. with the USPTO on March 29, 2006, showing how the mark **TRIXIE + LULU** is being used in commerce.

LULU PARTS INC

218. The Lulu Search Report discloses a Florida based company, Lulu Parts Inc., whose line of business is distributing "Garmin Magellan GPS units and accessories." Exhibit 1, p. 633.

219. Based on online records maintained by the Florida Department of State, Division of Corporations, Lulu Parts, Inc. remains an active Florida Limited Liability Company (I.D. No. 06000075089), which last filed its annual report on June 5, 2007. A true and correct copy of a printout I made on September 23, 2007, from the Florida Department of State, Division of Corporations' website, at www.sunbiz.org, is annexed hereto as **Exhibit 136**.

220. Annexed as **Exhibit 137** is a true and correct copy of Lulu Part's Inc.'s home page, located at <http://www.luluusa.com>, showing the mark **LULU PARTS INC** being used in connection with online retail store services featuring global positioning systems, computer parts, and accessories.

221. Based on online records maintained by the Internet Archive, at www.archive.org, Lulu Parts Inc.'s active website has been archived, updated and/or otherwise modified a total of at least 168 times since 2001, with at least seven updates in 2007 alone, the most recent of which

occurred on July 14, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 138**.

LULULEMON SPECIFICA & LULULEMON ATHLETICA

222. The Lulu Search Report discloses an existing federal trademark registration owned by Lululemon Athletica for the mark LULULEMON ATHLETICA (Reg. No. 2,607,811) for “clothing, namely pants, shirts, t-shirts, shorts, sweatshirts, sweatpants, socks, jackets, coats, hats, footwear, namely shoes and sandals” and a pending federal trademark registration filed by the same applicant for the mark LULULEMON SPECIFICA (Serial No. 78-615,951) for “athletic gym bags, sports bags, beach bags, backpacks and tote bags”; “clothing, namely, t-shirts, tank tops, shirts, sweatshirts, pants, shorts, skirts, dresses, sweatpants, underwear, socks, jackets, coats, headwear, namely, hats, caps, toques, visors, headbands, footwear, namely, shoes, sandals, sports shoes, boots”; and “athletic equipment, namely, balance balls, skipping ropes, rubber tubing, rubber cords and straps for fitness training, gym gloves, weightlifting belts, stationary bikes, stationary running tracks, weightlifting equipment, namely, bars, free weights, barbells.” See Exhibit 1, pp. 216 and 238.

223. Based on USPTO online records, the mark **LULULEMON ATHLETICA** was first used in commerce on November 20, 2001, and was registered with the USPTO on August 13, 2002, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 139**.

224. Annexed as **Exhibit 140** is a true and correct copy of Lululemon Athletica’s home page, located at <http://www.lululemon.com>, showing the mark **LULULEMON ATHLETICA** being used in connection with online retail store services featuring athletic clothing.

225. Based on online records maintained by the Internet Archive, at www.archive.org, Lululemon Athletica's active website has been archived, updated and/or otherwise modified a total of at least 330 times since 1999, with at least 21 modifications in 2007 alone, the most recent of which occurred on July 7, 2007. A true and correct copy of such historical information obtained on September 24, 2007, from the website www.archive.org is annexed hereto as **Exhibit 141**.

226. Annexed as **Exhibit 142** is a true and correct copy of the Specimen of Use filed by Lululemon Athletica with the USPTO on September 18, 2007, showing how the mark **LULULEMON ATHLETICA** is being used in commerce.

227. As stated in the Plaintiff's Responses, the ticker symbol on the NASDAQ stock exchange for Lululemon Athletica Inc. is LULU. See Plaintiff Lulu Enterprises, Inc.'s Objections and Responses to Defendant N-F Newsite, LLC's First Set of Interrogatories and Requests for Production of Documents (hereafter "Plaintiff's Responses"), Answer No. 6.

LM LULU PARIS

228. The ULU Search Report discloses an existing federal trademark registration owned by Lucien Haddad for the mark **LM LULU PARIS** (Reg. No. 2,129,844) for "clothing, non-orthopedic footwear, and headwear." See Exhibit 2, p. 162.

229. Based on USPTO online records, the mark **LM LULU PARIS** was registered with the USPTO on January 20, 1998, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 143**.

230. Annexed as **Exhibit 144** is a true and correct copy of LM Lulu Paris's home page, located at <http://www.lmlulu.fr>, showing the mark **LM LULU PARIS** being used in connection with women's clothing.

231. Based on online records maintained by the Internet Archive, at www.archive.org, LM Lulu Paris's active website has been archived, updated and/or otherwise modified a total of at least 33 times since 2004, with at least four modifications in 2007, the most recent of which occurred on May 9, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 145**.

232. Annexed as **Exhibit 146** is a true and correct copy of Clobbered Up: Designer Clothing's website, located at <http://www.clobberedup.co.uk> showing LM Lulu's clothing currently being offered for sale.

LOULOU DE LA FALAISE PARIS

233. The Lulu Search Report discloses a pending federal trademark registration filed by Louise Klossowski for the mark **LOULOU DE LA FALAISE PARIS** (Serial No. 79-036,344) for "precious metals and alloys thereof, jewelry, fashion jewelry, precious stones, timepieces, and watches"; "leather and imitation leather, animal skins, animal hides, suitcases, luggage trunks, parasols, umbrellas, walking sticks, whips, harnesses, saddlery, leather and imitation leather goods, namely luggage, backpacks, messenger bags, handbags, rucksacks, traveling bags, college satchels, beach bags, wallets, business cards cases, change purses, attaché cases and vanity cases and cosmetic bags both sold empty"; "household and kitchen utensils and containers not of precious metal or coated therewith, namely cooking pots, cookie jars, spatula, rolling pins, combs, cleaning sponges, glassware, porcelain and

earthenware, namely, mugs, jars for jams and jellies, sculptures, and crockery and tableware, namely drinking glasses, plates, dishes”; “textiles, namely textiles fabrics for the manufacture of clothing and bed linens, bed blankets and bed linen, namely, bed sheets covers for pillows and cushions, covers for quilts, eiderdowns, bedspreads, and blankets throws and household linens, namely, face towels of textile, table mats not of paper, cleaning cloths and hand towels”; and “clothing, namely, dresses, blouses, t-shirts, pants, sweaters, jackets, coats, footwear, and headgear, namely, caps, hats, toboggan hats.” See Exhibit 1, p. 245.

234. Based on USPTO online records, the mark **LOULOU DE LA FALAISE** was approved for publication on August 29, 2007, and a notice of publication was mailed by the USPTO on September 12, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 147**.

235. Annexed as **Exhibit 148** is a true and correct copy of an *International Herald Tribune* article dated February 28, 2007, showing the mark **LOULOU DE LA FALAISE** being used in connection with a new jewelry line.

LUI LUI

236. The Lulu Search Report discloses an existing federal trademark registration owned by Marco’s Spaghetti Factory, Inc. for the mark **LUI LUI** (Reg. No. 2,056,522) for “beer” and “restaurant services.” See Exhibit 1, p. 422.

237. Based on USPTO online records, the mark **LUI LUI** was first used in commerce on April 17, 1991, for restaurant services and July 4, 1992, for beer, was registered with the USPTO on April 29, 1997, and was renewed on May 26, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 149**.

238. Annexed as **Exhibit 150** is a true and correct copy of Lui Lui's home page, located at <http://www.luilui.com>, showing the mark **LUI LUI** being used in connection with restaurant services.

239. Based on online records maintained by the Internet Archive, at www.archive.org, Lui Lui's active website has been archived, updated and/or otherwise modified a total of at least 87 times since 1999, with at least 10 modifications in 2007 alone, the most recent of which occurred on June 18, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 151**.

240. Annexed as **Exhibit 152** are true and correct copies of the Specimens of Use filed by Marco's Spaghetti Factory, Inc. with the USPTO on April 27, 2007, showing how the mark **LUI LUI** is being used in commerce.

COCOLULU

241. The ULU Search Report Search Report discloses a renewed Hawaii state trademark registration filed by Exiv USA, Inc. for the mark **COCOLULU** (Hawaii State Reg. No. 241678) for "clothing, swimsuits, costume jewelry, hats and caps, towels, sunglasses, beach accessories" and a pending federal trademark registration (Serial No. 77-027,382) filed by Exiv Co., Ltd., for the same mark for "badges of precious metal, brooches, buckles of precious metal, earrings, objects of imitation gold, hat ornaments, jewelry, past jewelry, key ring, necklaces, ornaments, plated articles of precious metal plating, rings, trinkets"; "garment bags for travel, net bags for shipping, bands of leather, beach bags, card cases handbags, key cases of leather, pocket wallets, purses, purses not of precious metal, rucksacks, shopping bags, traveling bags, umbrellas, vanity cases"; "bathing caps, bathing

drawers, bathing suits, bathing trunks, beach shoes, belts, bibs not of paper, boots, breeches, camisoles, cap peaks, caps, clothing, coats, collar protectors, collars, clothing combinations, footwear, gloves, half boots, hats, headgear for wear, jackets, stuff jackets, jerseys, jumpers, clothing of knitwear, layettes, mittens, overalls, pants, parkas, ready-made clothing, sandals, scarves, shawls, shirt fronts, shirt yokes, shirts, shoes, skirts, socks, spats, sports shoes, sweaters, swimsuits, tee-shirts, trousers, underclothing, underwear, vests, waistcoats”; and “ornamental novelty badges, badges in the form of buttons for wear not of precious metal, zip fasteners for bags, barrettes for hair, blouse fasteners, brooches, buckles, shoe buckles, buttons, belt clasp, slide fasteners, hair ornaments, hair pins snap fasteners, zip fasteners, zippers.” See Exhibit 2, p. 508 and 758.

242. Based on USPTO online records, the mark **COCOLULU** was first used in commerce on August 1, 2000, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 153**.

243. Based on the information provided in the ULU Search Report, the mark COCOLULU was first registered in Hawaii on August 1, 2000 and was renewed on June 14, 2001. See Exhibit 2, p. 758.

244. Annexed as **Exhibit 154** is a true and correct copy of Exiv Co., Ltd.’s home page, located at <http://www.exiv.com.jp>, showing the mark **COCOLULU** being used in connection with online retail store services featuring women’s and men’s clothing.

245. Based on online records maintained by the Internet Archive, at www.archive.org, Exiv Co., Ltd.’s active website has been archived, updated and/or otherwise modified a total of at least 45 times since 2001, with at least four modifications in 2007 alone, the most recent of which occurred on January 25, 2007. A true and correct copy

of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 155**.

246. Annexed as **Exhibit 156** are true and correct copies of the Specimens of Use filed by Exiv Co., Ltd. with the USPTO on October 23, 2006, showing how the mark **COCOLULU** is being used in commerce.

MISHA LULU

247. The Lulu Search Report discloses a pending federal trademark registration filed by Stronikas, Inc. for the mark **MISHA LULU** (Serial No. 78-805,761) for “infant and kid’s clothing, namely, aprons, dresses, skirts, shirts and t-shirts.” See Exhibit 1, p. 277.

248. Based on USPTO online records, the mark **MISHA LULU** was first used in commerce on February 6, 2006, and the mark was cleared for registration with the USPTO on September 7, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 157**.

249. Annexed as **Exhibit 158** is a true and correct copy of Misha Lulu’s home page, located at <http://www.mishalulu.com>, showing the mark **MISHA LULU** and stating that the site is under construction but “coming soon.”

250. Annexed as **Exhibit 159** is a true and correct copy of a printout I made from the Tutti Bella website, at <http://www.tuttibella.com>, showing **MISHA LULU** children’s clothing currently being offered for sale.

DISCOLULU

251. The ULU Search Report discloses an existing federal trademark registration owned by Kimberly A. Nguyen for the mark **DISCOLULU** (Reg. No. 3,212,326) for “dog

accessories, namely, costume jewelry,” and “dog apparel, dog accessories, namely collars and leashes.” See Exhibit 2, p. 398.

252. Based on USPTO online records, the mark **DISCOLULU** was first used in commerce on December 4, 2004, and was registered with the USPTO on February 27, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 160**.

253. Annexed as **Exhibit 161** is a true and correct copy of Discolulu’s home page, located at <http://www.discolulu.com>, showing the mark **DISCOLULU** being used in connection with online retail store services featuring clothing and accessories for dogs.

254. Based on online records maintained by the Internet Archive, at www.archive.org, Discolulu’s active website has been archived, updated and/or otherwise modified a total of at least 21 times since 2005, with at least 6 modifications in 2007 alone, the most recent of which occurred on July 14, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 162**.

255. Annexed as **Exhibit 163** is a true and correct copy of the Specimen of Use filed by Kimberly A. Nguyen with the USPTO on September 8, 2006, showing how the mark **DISCOLULU** is being used in commerce.

LULEE BABES

256. The Lulu Search Report discloses an existing federal trademark registration owned by Dessira Tish for the mark **LULEE BABES** (Reg. No. 3,262,243) for “women’s, children’s and infant’s clothing, namely, pants, shorts, shortalls, rompers, jackets, coats, t-shirts, blouses, shirts, vests, skirts, dresses, hats, loungewear, aprons.” See Exhibit 1, p. 327.

257. Based on USPTO online records, the mark **LULEE BABES** was first used in commerce in October 2005 and was registered with the USPTO on July 10, 2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 164**.

258. Annexed as **Exhibit 165** is a true and correct copy of Lulee Babes' home page, located at <http://www.luleebabes.com>, showing the mark **LULEE BABES** being used in connection with online retail store services featuring infant and children's clothing, including a link to the Spring 2007 collection.

259. Based on online records maintained by the Internet Archive, at www.archive.org, Lulee Babes' active website has been archived, updated and/or otherwise modified a total of at least 21 times since 2005, with at least 9 modifications in 2007 alone, the most recent of which occurred on July 3, 2007. A true and correct copy of such historical information obtained on September 23, 2007 from the website www.archive.org is annexed hereto as **Exhibit 166**.

260. Annexed as **Exhibit 167** are true and correct copies of the Specimens of Use filed by Dessira Tish with the USPTO on January 11, 2007, showing how the mark **LULEE BABES** is being used in commerce.

ULU

261. The ULU Search Report discloses an existing federal trademark registration owned by Chaco, Inc. for the mark **ULU** (Reg. No. 2,805,621) for "footwear." See Exhibit 2, p. 39.

262. Based on USPTO online records, the mark **ULU** was first used in commerce January 1, 2001, was registered with the USPTO on January 13, 2004, and the attorney of record was modified on June 11, 2007, as shown by a true and correct copy of a printout I

made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 168**.

263. Annexed as **Exhibit 169** is a true and correct copy of ULU Boot's home page, located at <http://www.uluboot.com>, showing the mark **ULU** being used in connection with online retail store services featuring boots.

264. Based on online records maintained by the Internet Archive, at www.archive.org, ULU Boot's active website has been archived, updated and/or otherwise modified a total of at least 65 times since 2003, with at least 13 modifications in 2007 alone, the most recent of which occurred on July 2, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 170**.

AZLULU

265. The ULU Search Report discloses a pending federal trademark registration filed by Mark Srour for the mark **AZLULU** (Serial No. 77-020,499) for "clothing, namely, hats, long pants, Capri pants, shorts, Bermuda shorts, skirts, mini-skirts, t-shirts, shirts, guayaberas, blouses, underwear, sweaters, pullovers, blazer, jackets, blazers, bathing suits, hosiery, socks, jeans, bustiers, and ties." See Exhibit 2, p. 443.

266. Based on USPTO online records, the mark **AZLULU** was first used in commerce in October 2005 and was approved for publication on the principal register on August 2, 2007 as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 171**.

267. Annexed as **Exhibit 172** is a true and correct copy of the Specimen of Use filed by Mark Srour with the USPTO on October 13, 2006, showing how the mark **AZULU** is being used in commerce.

MOSHULU

268. The ULU Search Report discloses a pending federal trademark registration filed by Coastguard Road Limited for the mark **MOSHULU** (Serial No. 78-741,545) for “clothing, namely, hats, caps, gloves and scarves; footwear.” See Exhibit 2, p. 456.

269. Based on USPTO online records, the mark **MOSHULU** was published for opposition on March 20, 2007, and a notice of allowance was mailed by the USPTO on June 12, 2007, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 173**.

270. Annexed as **Exhibit 174** is a true and correct copy of Moshulu’s retail home page, located at <http://www.moshulumailorder.co.uk>, showing the mark **MOSHULU** being used in connection with online retail store services featuring women’s and men’s footwear.

271. Based on online records maintained by the Internet Archive, at www.archive.org, Moshulu’s active website has been archived, updated and/or otherwise modified a total of at least 21 times since 2005, with at least 5 modifications in 2007 alone, the most recent of which occurred on July 3, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 175**.

KULU ATOLL / KULU

272. The ULU Search Report discloses two existing federal trademark registrations owned by Print N’ Wear Pty Ltd for the marks **KULU ATOLL** (Reg. No. 2,383,578) for

“clothing, namely, t-shirts, shorts, dresses, skirts, swimwear,” and **KULU** (Reg. No. 3,186,172) for “clothing, namely, track suits, track suit tops, track suit trousers, t-shirts, shirts, blouses, shorts, swimwear, vests, sweaters, tights, jackets, trousers, dresses, skirts, sarongs, ski wear, scarves, stockings and socks; headgear, namely, hats, and caps; belts for clothing; braces; waist bands; footwear including shoes, boots, sandals, sneakers; ski suits; special sporting footwear.” See Exhibit 2, p. 446 and 477.

273. Based on USPTO online records, the mark **KULU ATOLL** was first used in commerce on February 8, 1999, and was registered with the USPTO on September 5, 2000, and the mark **KULU** was registered with the USPTO on December 19, 2006, as shown by true and correct copies of printouts I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 176**.

274. Annexed as **Exhibit 177** is a true and correct copy of Kulu Atoll’s home page, located at <http://www.kuluatoll.com>, showing the mark **KULU ATOLL** being used in connection with online retail store services featuring swimwear.

275. Based on online records maintained by the Internet Archive, at www.archive.org, Kulu Atoll’s active website has been archived, updated and/or otherwise modified a total of at least 235 times since 1999, with at least 19 modifications in 2007 alone, the most recent of which occurred on July 12, 2007. A true and correct copy of such historical information obtained on September 23, 2007, from the website www.archive.org is annexed hereto as **Exhibit 178**.

276. Annexed as **Exhibit 179** is a true and correct copy of the Specimen of Use filed by Print N’ Wear Pty Ltd. with the USPTO on January 13, 2006, showing how the mark **KULU ATOLL** is being used in commerce.

ZULU GEAR

277. The ULU Search Report discloses an existing federal trademark registration owned by New York Flavor & Fashions, LLC for the mark **ZULU GEAR** (Reg. No. 2,674,852) for “men’s, women’s, and children’s clothing, namely, shirts, sweatshirts, rugby shirts, t-shirts, tank tops, collared shirts, jackets, coats, vests, sport coats, pants, sweatpants, slacks, shorts, hats, headbands, visors, ski caps, socks, shoes, sneakers, boots, sandals, wristbands, socks, belts, neckties, gloves, undergarments, skirts, and dresses.” See Exhibit 2, p. 485.

278. Based on USPTO online records, the mark **ZULU GEAR** was first used in commerce on February 8, 2002, and was registered with the USPTO on January 14, 2003, as shown by a true and correct copy of a printout I made from the USPTO’s TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 180**.

279. Annexed as **Exhibit 181** is a true and correct copy of New York Flavor & Fashions’ home page, located at <http://newyorkflavorandfashions.com>, showing the mark **ZULU GEAR** being used in connection with a line of clothing currently being offered for sale.

280. Annexed as **Exhibit 182** is a true and correct copy of the Specimen of Use filed by New York Flavor & Fashions, LLC with the USPTO on March 22, 2002, showing how the mark **ZULU GEAR** is being used in commerce.

ZULU ROSE

281. The ULU Search Report discloses an existing federal trademark registration owned by Zulu Rose LLC for the mark **ZULU ROSE** (Reg. No. 3,267,166) for “clothing, namely, blouses, coats, dresses, gowns, jackets, belts and belt buckles, shirts, trousers, vests, t-shirts and sweat shirts.” See Exhibit 2, p. 486.

282. Based on USPTO online records, the mark **ZULU ROSE** was first used in commerce in February 2005 and was registered with the USPTO on July 24, 2007, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 183**.

283. Annexed as **Exhibit 184** is a true and correct copy of Zulu Rose's home page, located at <http://www.zulurose.com>, showing the mark **ZULU ROSE** being used in connection online retail services featuring men's and women's clothing.

284. Annexed as **Exhibit 185** is a true and correct copy of the Specimen of Use filed by Zulu Rose LLC with the USPTO on September 18, 2006, showing how the mark **ZULU ROSE** is being used in commerce.

LUJO

285. The Lulu Search Report discloses an existing federal trademark registration owned by Donald R. Avery for the mark **LUJO** (Reg. No. 2,950,689) for "luggage, all-purpose sport bags, athlete bags, duffel bags, book bags, backpacks, handbags, cloth shopping bags, tote bags, travel kit bags sold empty, briefcases, wallets, purses and cosmetic cases sold empty." See Exhibit 1, p. 340.

286. Based on USPTO online records, the mark **LUJO** was first used in commerce on September 17, 2002, and was registered with the USPTO on May 10, 2005, as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 186**.

287. Annexed as **Exhibit 187** is a true and correct copy of the Specimen of Use filed by Donald R. Avery with the USPTO on April 16, 2004, showing how the mark **LUJO** is being used in commerce.

LULU

288. In identifying third party trademark or trade name uses of the name or mark **LULU** of which Plaintiff is aware, Plaintiff Lulu identifies the mark **LULU** as being used as a performance name by a British recording artist and actor named Marie McDonald McLaughlin Lawrie. Plaintiff's Responses, Answer No. 6.

289. Annexed as **Exhibit 188** is a true and correct copy of Lulu's home page, located at <http://www.lulu.co.uk>, showing the mark **LULU** being used in connection with the artist.

LULU

290. In identifying third party trademark or trade name uses of the name or mark **LULU** of which Plaintiff is aware, Plaintiff Lulu identifies the mark **LULU** as being used by an entity called Lu Lu Temple A.A.O.N.M.S., Inc. "apparently as the name of a clown who performs at parades and the like in connection with charitable fund raising." Plaintiff's Responses, Answer No. 6.

291. An existing federal trademark registration is owned by Lu Lu Temple A.A.O.N.M.S., Inc. for the mark **LULU** (Reg. No. 2543797) for "charitable fun raising," as shown by a true and correct copy of a printout I made from the USPTO's TARR web server, at <http://tarr.uspto.gov/>, annexed hereto as **Exhibit 189**.

292. Based on USPTO online records, the mark **LULU** was first used in commerce on April 1, 1999, and was registered with the USPTO on March 5, 2002. Id.

293. Annexed as **Exhibit 190** are true and correct copies of the Specimens of Use filed by Lu Lu Temple A.A.O.N.M.S., Inc. with the USPTO on March 20, 2007, showing how the mark **LULU** is being used in commerce.

294. Annexed as **Exhibit 191** is a true and correct copy of Lu Lu Temple A.A.O.N.M.S., Inc.'s website, at <http://www.lulushriners.org>, showing the mark LULU being used in connection with the A.A.O.N.M.S. or Ancient Arabic Order of the Nobles of the Mystic Shrine (better known as the Shriners).

Plaintiff's Responses To First Set of Interrogatories

295. In addition, in Plaintiff's Responses to Defendant N-F Newsite, LLC's First Set of Interrogatories ("Plaintiff's Responses"), Plaintiff identifies a number of third party trademarks and trade names of the name or mark "LULU" to which it is aware (three of which are also addressed above). Specifically, Plaintiff declares that:

Lulu is aware of a British recording artist named Marle McDonald McLaughlin Lawrie who performs under the name 'Lulu' and maintains a website under the domain name LULU.CO.UK.

Lulu is aware of a Canadian athletic apparel company called Lululemon Athletica Inc., whose ticker symbol on the NASDAQ stock exchange is 'LULU.'

Lulu is aware of an entity called Lu Lu Temple A.A.O.N.M.S., Inc., which has registered the mark LULU, apparently as the name of a clown who performs at parades and the like in connection with charitable fund raising.

Lulu is aware of an entity called Game Steven Bray, d/b/a Lulu Technologies, who has registered the mark 'LULU TECHNOLOGIES' in the State of Texas for use in connection with software development.

Lulu is aware that a sole proprietor, Cheri Mardon, has registered the mark 'LULU PRODUCTIONS' in the State of Hawaii.

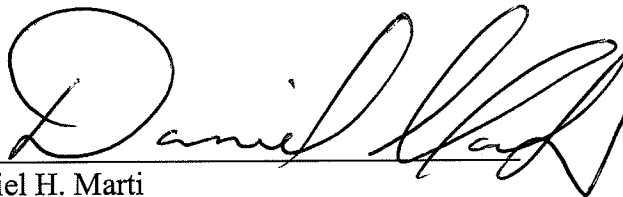
Lulu is aware that an individual or entity called Lulus Englewood has registered the mark 'LULU'S' in the State of New Jersey in connection with advertising and business.

Lulu is aware that an entity called Honfed Bank has registered the mark 'LULU' in the State of Hawaii in connection with banking services rendered through an automatic teller machine.

Lulu is also aware of the third party uses of the names and marks listed in the July 12, 2007 Thomson Compumark Trademark Research Report being produced herewith and Bates-labeled LULU023367-LULU023625, the July 12, 2007 Thomson PowerBuild Report produced herewith and Bates-Labeled LULU023626-LULU023686, and the October 15, 2004 Saegis Custom Report, produced herewith and Bates-labeled LULU023230-LULU023253.

See Plaintiff's Responses, Answer No. 6, along with true and correct copies of the trademark reports referenced by Plaintiff in its answer (reproduced above), as **Exhibit 192** (for the July 12, 2007 Thomson Compumark Trademark Research Report, LULU023367—LULU023625), **Exhibit 193** (for the July 12, 2007 Thomson PowerBuild Report, LULU023626—LULU023686), and **Exhibit 194** (for the October 15, 2004 Saegis Custom Report, LULU023230—LULU023253).

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on October 9, 2007 in Washington, D.C.


Daniel H. Marti